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O.W. No. 4263/2015
Supt. of Police, State C.I.D.
Konkan Bhavan, Navi Mumbai,
Telefax- 022-27571485
Date, 07/12/2015.

N.H.R.C.
C.R. UNIT
16 DEC 2015
232620
Dy. No.....

The Registrar,
National Human Rights Commission.
Manav Adhikar Bahavan, Block-C,
G.P.O Complex, INA
New Delhi -110023

Sub - Inquiry Report of Complaint made by Shri Nitin B. Chavan

- Ref - 1) Your office N.H.R.C..Case No.1505/13/16/2013/oc/M-5,dt.22/11/2014
2) Letter from Addl. D.G. of police P.C.R.D.G./42-a/ N.H.R.C./98/Chavan/639/2014 dt. 17/12/14

Respected Sir,

SCANNED

With reference to and subject captioned above, the orders were received vide reference 1 and 2 that an inquiry be conducted on complaint made by Nitin B. Chavan against police officers viz P.I. Sangale, A.P.I. Bankar and others for falsely implicating him and others in case of extortion and harassment.

Complaints in the complaint letter are as follows:

- 1) The complainant has been falsely implicated by Bhandup police Station in C.R. No. 150/2012 u/s. 384,34, IPC
- 2) In the above C.R. arrest has been made by the police and complainant has been harassed by P.I. Sangale and A.P.I Bankar of Bhandup police station.
- 3) Though the complainant is a member of "India Against Corruption", the other members of "India against corruption", Shri. Mayank Gandhi and others have not helped him as regards his complaint.

On the above points, detailed inquiry has been made and interim report of the finding is submitted as follows :

1) C.R. No. 150/2012 u/s. 384,34, IPC is registered on the complaint of Sanket Suresh Joshi against complainant Nitin B. Chavan and Hamid Rahim Sarvaya on 19/4/2012 at 21.35 hrs.for demanding 15,000/- for not giving information to B.M.C. about illegal construction. After registering of offence accused Nitin Chavan and Hamid Sarvaiya were arrested on 20/04/12 and they were bailed out on 20/04/12. After investigation chargesheet has been filed on 30/05/12 in the Metropolitan Magistrate, 53 rd Court Mulund, Mumbai. A copy of chargesheet is attached herewith.(Annexure - I)

2) After arrest of Nitin Chavan on 20/04/12, a medical check up was done by Medical Officer of Smt. M.T.Agarwal Municipal General Hospital Mulund (W), Mumbai 80. Also, when accused Nitin Chavan and Hamid Sarvaiya were produced before Metropolitan Magistrate,53 rd Court Mulund, Mumbai for remand purpose, accused did not complaint against police of ill treatment as stated by the Hon. Judge in the remand report. Copies of medical check up paper and copy of remand letter is enclosed herewith. (Annexure - II & III). Statements of P.I. Sangale and A.P.I. Bankar regarding the action taken by them have been recorded.

3) As per complaint made by complainant against Mayank Gandhi and others for non co-operation at the time of police action, we have inquired with 1) Mayank Gandhi 2) Praful Vora 3) Naresh Thakur 4) Dinkar Joshi 5) Smt. Susma Maurya. They said that Nitin Bajarang Chavan was a member of their "India against Corruption". But Nitin Chavan later fell out with them as he had started indulging in illegal activities like extorting money from people. Therefore, they did not co-operate with the complainant at later stage. The statements of 1) Mayank Gandhi 2) Praful Vora 3) Naresh Thakur 4) Dinkar Joshi 5) Smt. Susma Maurya have been recorded.

4) After bail out from the above C.R. on 20/04/12, complainant on his own went to Smt. M.T.Agarwal Municipal General Hospital Mulund (W), Mumbai 80 for a medical check up. At the time of medical check up complainant told to Medical Officer that he has been beaten by the police with a wooden stick which had caused swelling to his left foot. After enquiry made in this connection with Medical Officer Shri Dr. Atamsing Sarvantsing Hero, in his statement Dr. Hero has said that no fresh injury was observed. Regarding complaint from complainant Shri Chavan about swelling on his left foot, Dr. Hero advised an x-ray to be taken. But no internal injury was observed according to statement of Dr.Hero. Dr. Hero also opined that swelling on foot could be by any other reason other than that of beating with wooden stick.

During the inquiry, it has come to light that three complaints of threats & harassment are received in Bhandup Police Station against complainant of this case,

Shri. Sanket Joshi.

We are in the process of examining the complaints against Shri Sanket Joshi in Bhandup Police Station to prove the nexus between police and complainant as alleged by Nitin Chavan in this complaint to NHRC. Once facts regarding this are ascertained a detailed follow up report regarding the findings shall be submitted to NHRC.



Yours faithfully,

Pournima Gaikwad
07/12/15
(Pournima Gaikwad)

Supdt. of Police
State CID, Konkan Bhavan,
Navi Mumbai.

Copy to -

- 1) Director General of Police, Maharashtra State, Mumbai
- 2) Addl. Director General of Police, State C.I.D Crime, M.S., Pune.
- 3) Addl. Director General of Police, PCR/HR, M.S. Mumbai.
- 4) Special Inspector General of Police, (crime-west), State C.I.D. MS, Pune
- 5) Registrar, Human Right Commission, M.S. Mumbai.