



Banglar

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**03.07.2020**

To

The Chairman

National Human Rights Commission

Manav Adhikar Bhawan

Block-C, G.P.O. Complex, INA

New Delhi- 110023

Respected Sir,

Here I want to draw your attention on an incident of sheer brutality of police upon a minor Muslim boy. It is evident that economically weaker section community always victimized in the hands of the police and without any reason they are falsely harassed. . This incident was happened In Murshidabad district of West Bengal.

In this incident 6 police personnel of Murshidabad police station in Murshidabad district arrested one minor boy namely Master MomirulPramanick without any reason and kept this minor boy in Murshidabad Police Station Custody without producing him in the Juvenile court or without placing the victim under the charge of the Special Juvenile Police Unit. More so, he was kept in the police custody more than 50 hours. Even during the time of his arrest the on duty police officials did not follow any legal procedure (Memo of arrest, Inspection Memo). When the mother of the victim went to the Murshidabad Police Station to meet with her son, the perpetrator police personnel claimed money to release his son.

The minor boy was released yesterday (02.07.2020) evening about 7pm without any charge, by the Inspector-in-Charge of Murshidabad police station when media men were informed about the matter and they enquired into.

This present complaint is another example where the perpetrator police personnel of Murshidabad Police Station violated Articles 21, 22(1) & (2) of the Constitution of India as well as Articles 6 of United Nation Convention on Rights of the Child; Government of India is party to the UN instrument. It is also violated section 10 and section 18 of the

Juvenile Justice Care and Protection Act, 2000 and section 57 of the Code of Criminal Procedure.

Here I wish to mention the observation of Justice Krishna Iyer in Prem Chand (Paniwala) v. Union of India AIR 1981 SC 613 passed by the Supreme Court of India, where he observed: "Who will police the Police?" I hope the Commission will act righteously to police the police.

Therefore, I am appending the details of the incident here with and demand for:-

- The whole matter should be inquired by an independent authority, preferably by the Commission.
- Perpetrator police personnel of Murshidabad Police Station must be booked under the law.
- Stringent penal action should be started against these perpetrator police personnel who took up the law in their own hand and apprehend the minor boy more than 50 hours.
- The victim should be provided with adequate compensation and security and safety of the family and the victim must be ensured

Thanking you,

Sincerely yours

DipyamanAdhikary

Assistant Secretary

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**Name and other details of the victim:** Master MomirulPramanick (16 years), S/O Mr. JiarulPramanick and Mrs. MarjinaBibi, residing at Village Gandhi Colony, NetajiSubhas Road; Post Office- Berhampur, Police Station- Berhampur, District- Murshidabad, West Bengal, India.

**Name of the perpetrators:** 6 police staffs of Murshidabad Police Station who arrested the minor victim Master MomirulPramanick.

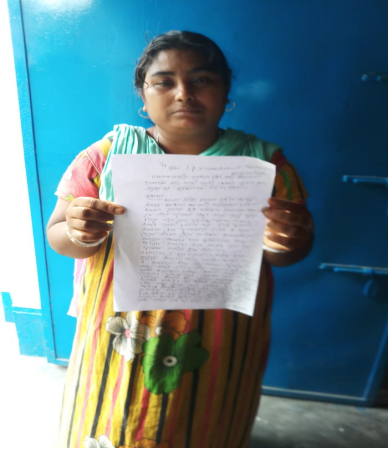
**Date and Time of the Incident:** At around 9.00 pm on 30.06.2020 and subsequent thereafter

**Place of Incident:** Victim was arrested from Nutangram Road under the jurisdiction of Murshidabad Police Station and he was kept in Murshidabad Police Station Custody more than 72 hours after his arrest.

**Case Detail:**

On 30.06.2020 at about 7 pm Master MomirulPramanick along with his some friends went for a walk. Near Nutangram Road, he witnessed one accident and one injured man laid on the road. For helping that injured man and saving his life, the minor victim rushed to the people of that locality but the people without hearing his plea, beat him mercilessly and informed the local Murshidabad Police Station. Six police personnel came to the spot and arrested Mr. SubrataGhosh and this minor victim. Actually Mr. SubrataGhosh was the accused with whose bike accident was happened. But police personnel without following any legal procedure and without any reason arrested this minor victim. He was sent to Lalbag Hospital for medical checkup on the said day. But it is very much interesting that instead of knowing the victim's age, the police personnel did not sent this minor victim under the charge of special juvenile police unit. The victim was kept in the same police lockup where Mr. SubrataGhosh was apprehended. Section 18 of the Juvenile Justice Act provides not to keep a juvenile in police lockup. More so, on the next day the police officials of Murshidabad Police Station did not produce this minor victim to the Juvenile Justice Board. Several times the victim verbally appealed to the police officials that he did not occur any accident and he is completely innocent, but without hearing his voice, police officials illegally apprehend him in their custody more than 72 hours from the day of his arrest.

When Mrs. MarjinaBibi, mother of the victim went to the Murshidabad Police Station to meet with her son, the perpetrator police personnel demanded money to release his son but the mother of the victim refused to give the monetary amount for releasing her son. On 02.07.2020 during the time of release of his son those police personnel took signature from MarjinaBibi in a white paper.



**Mother of victim**