

NATIONAL HUMAN RIGHTS COMMISSION  
(L A W D I V I S I O N)  
MANAV ADHIKAR BHAWAN, BLOCK-C, G.P.O. COMPLEX,  
INA, NEW DELHI- 110023

Dated 31/10/2016

Case No. 15852/24/6/2011-AD

To

SUHAS CHAKMA, DIRECTOR  
NATIONAL CAMPAIGN FOR PREVENTION OF  
TORTURE, C-3/441-C, JANAKPURI,  
WEST DELHI, DELHI.

23 NOV 2016

Sir/Madam,

With reference to your complaint dated 18/04/2011, I am directed to say that the matter was considered by the Commission on 31/10/2016. The Commission has made the following directions.

*Joint Secretary, Govt. of Uttar Pradesh vide communication dated 24.8.2016 has informed that the amount of Rs.Five Lakhs as recommended by the Commission has been disbursed to the wife and two sons of deceased Kamlesh Singh in equal share. The proof of payments also has been received. Hence, the case is closed.*

This is for your information.

Yours faithfully,



ASSISTANT REGISTRAR(LAW)

# National Human Rights Commission

New Delhi, India

## Case Details of File Number: 16296/24/6/2011-PCD

Diary Number 58923  
 Name of the Complainant SUPERINTENDENT  
 Address AZAMGARH,  
 AZAMGARH , UTTAR PRADESH  
 Name of the Victim KAMLEESH SINGH S/O LATE. RAM MILAN SINGH  
 Address R/O BADYA VILLAGE, PS. NIZAMABAD,  
 AZAMGARH , UTTAR PRADESH  
 Place of Incident DISTRICT JAIL  
 AZAMGARH . UTTAR PRADESH  
 Date of Incident 4/15/2011

### Direction issued by the Commission

The Commission received an intimation from Supdt. of Police, Azamgarh, regarding suicidal death of Kamlesh Kumar Singh in police custody. It was reported that a murder case was registered at PS Gambharpur on 6th April, 2011. During investigation of the case, the name of Kamlesh Kumar Singh came to light. He was arrested on 14th April, 2011. On 15th April, 2011 he committed suicide in the toilet of the police lock up by hanging himself with shirt and pant from the lamp post at about 8.00 AM. The postmortem report revealed the following injuries: i) Ante-mortem abraded area of neck anteriorly. Two abrasions on the right side of the neck and two on the left side. ii) Small bruises on anterior part of the neck. iii) Neck muscle bruised on right side. According to the postmortem surgeon, the death had occurred due to pressure on neck and thoracic cage resulting in asphyxia and shock. An inquiry into the circumstances of death was conducted by Judicial Magistrate, Court No. 15, Azamgarh. The Magistrate did not believe the story of suicide. Dr. Vinlesh Kumar, who conducted the postmortem was examined by the Magistrate. He deposed that the postmortem started at 3.10 PM on 15th April, 2011 and the Rigor Mortis had fully developed. He stated that it takes at least 12 hours for full development of Rigor Mortis. In other words at least 12 hours had elapsed after the death. This would mean that the death had occurred between 3.00 AM and 4.00 AM and not at 8.00 AM as alleged by the police. The Magistrate also noted that pressure marks and not ligature mark were observed on the neck. The pressure marks were parallel and not oblique. Considering all these observations made by the postmortem surgeon, the Magistrate concluded that it was a case of homicidal death. On consideration of the Magisterial Enquiry Report and postmortem report, we are not inclined to believe that Kamlesh Kumar Singh hanged himself in the police lock up. It appears to be a case of homicidal death. A notice, therefore, be issued under Section 18 of the Protection of Human Rights Act, 1993, to show cause why monetary relief be not given to the next of kin of the deceased Kamlesh Kumar Singh. Chief Secretary, Government of Uttar Pradesh, shall respond to the notice within a period of six weeks. Put up on 12th March, 2014

### Action Taken

Status on 5/13/2014

**Note:** For further details kindly contact National Human Rights Commission, Manav Adhikar Bhawan Block-C, GPO Complex, INA, New Delhi - 110023

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नोट: अन्य जानकारी हेतु कृपया संपर्क करे राष्ट्रीय मानव अधिकार आयोग, मानव अधिकार भवन, ब्लॉक-सी, जी.पी.ओ. कॉम्प्लेक्स, आई.एन.ए., नई दिल्ली - 110023,

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