

Reducing Custodial Deaths

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The Indian Police continue to torture suspects in custody as they are rarely punished

Numerous incidents of custodial deaths in the recent times have brought into sharp focus the way Indian policemen torture and interrogate suspects in their custody leading to death in several cases. As a result, policemen all over the country have been severely criticized and condemned. Strictures passed against policemen from time to time by learned judges of various courts notwithstanding, the police continue to brazenly torture suspects in their custody.

The Central Bureau of Investigation too uses torture as a method of investigation. In September 2016, B.K. Bansal, Director General of Corporate Affairs, and his son Yogesh committed suicide. In their suicide note, the two men listed the names of officers who had tortured their family in connection with a case of disproportionate assets. Bansal's wife and daughter too had committed suicide two months earlier. On the directions of the National Human Rights Commission, an inquiry was held by the CBI. Expectedly, the agency exonerated all the accused. Taking cognizance of the matter, the Central Vigilance Commission published a standard operating procedure laying down guidelines for interrogation of accused officials.

Deaths in Police Custody: An Insight

- Custodial deaths have been on the increase in recent years. They increased by 9% from 92 in 2016 to 100 in 2017, according to the National Crime Records Bureau.
- Since policemen responsible for custodial deaths rarely get punished, they feel emboldened to continue using torture as the tool

to get to the truth. In 2015, for instance, the police registered cases against fellow police officers in only 33 of the 97 custodial deaths.

- The Supreme Court delivered a historic order in 2006 on police reforms. It stated, among other things, that every State should have a Police Complaints Authority where any citizen can lodge a complaint against policemen for any act of misdemeanor. However, only a few States such as Kerala, Jharkhand, Haryana, Punjab and Maharashtra have implemented the order.
- Others have not taken the matter seriously.

Until exemplary punishment is meted out to policemen who are responsible for custodial deaths after proper judicial inquiry, not much can be expected to ameliorate the situation. Proper interrogation techniques coupled with use of scientific methods to extract the truth from suspects can go a long way in reducing custodial deaths.

SOURCE: *The Hindu*