

To,
Justice (Retd.) HL Dattu,
Chairperson,
National Human Rights Commission
Manav Adhikar Bhawan Block-C,
GPO Complex, INA,
New Delhi – 110023

Date: 7th May, 2018

Subject: Complaint by members of civil society organisations against the spate of extra judicial killings in Uttar Pradesh by the police in the last year.

Dear Sir,

We would like to bring to your notice, the brutal extra judicial killings that have been taking place in the State of Uttar Pradesh (UP), leading to a victimisation of innocent people in the name of alleged police “encounters”. Media reports and independent fact findings in UP indicate that as many as 50 cases of “encounter” killings have taken place in UP, in more than 1100 incidences of police encounter since the Yogi Adityanath led BJP government came to power in March 2017. According to official data released by Uttar Pradesh police, there were 1144 ‘encounters’ in the state from March 20, 2017, to January 31, 2018, in which 34 criminals were killed and 2744 were arrested. (Outlook India, April 1, 2018).

The Supreme Court and the National Human Rights Commission (NHRC) have, from time to time, issued specific guidelines to prevent such killings, by holding the police and state authorities to account, procedurally. In Uttar Pradesh, evidence points to use of encounters as a means to instil fear in the minds of petty criminals, and to raise the image of the State government and the police, in the public eye, as being tough on crime and working in the interests of maintaining law and order. This has given way to police impunity and violation of due process laid down by the Hon’ble Supreme Court and the guidelines issued by this Commission.

The Supreme Court in *People’s Union of Civil Liberties (PUCL) vs. State of Maharashtra*, (2014) 10 SCC 635 while laying down guidelines to be followed in the matters of investigating police encounters in the cases of death, had referred to the case of fake police encounters in *Prakash Kadam v. Ramprasad Vishwanath Gupta*, (2011) 6 SCC 189, and had warned policemen that they would not be excused for committing murder in the name of “encounter” on the pretext that they were carrying out the orders of their superior officers or politicians. The Court observed that the “encounter” philosophy is a criminal philosophy. As per the guidelines laid down in the PUCL Case, it is the duty of the State police to report about each death in any encounter to the Commission. Further, point five in the guideline, states that the Commission can initiate independent enquiries when serious doubts are raised on independent and impartial investigation of the cases.

On 22nd November, 2017, the Hon’ble Commission had taken suo moto cognizance of media reports about the Government of Uttar Pradesh, allegedly endorsing killings in encounters by

police, seeking improvement in law and order situation in the State. It had issued a notice to the Chief Secretary, Government of Uttar Pradesh, calling for a detailed report in the matter within 6 weeks. A second notice was issued by the Hon'ble Commission on 5th February, 2018 taking suo motu cognizance of media reports that a 25 years old man was shot in NOIDA by Sub-Inspector of Uttar Pradesh police in the night of the 3rd February, 2018 who told his colleague that the encounter would earn him an out of turn promotion. Accordingly, the Commission has issued a notice to the Chief Secretary and the Director General of Police, Uttar Pradesh to look into the emerging scenario, personally and to take appropriate action to sensitize the police personnel not to abuse their power to harass innocent citizens. In the notice, the Commission had observed that it seems that

“the police personnel in the State of Uttar Pradesh are feeling free, misusing their power in the light of an undeclared endorsement given by the higher ups. They are using their privileges to settle scores with the people. The police force is to protect the people, these kind of incidents would send a wrong message to the society. Creating an atmosphere of fear is not the correct way to deal with the crime”

It has come to our knowledge that nine families of the deceased victims from Uttar Pradesh have filed a complaint with the Commission requesting the Commission to initiate independent and fair enquiries into their cases of alleged encounter killings. We, the members of the civil society reiterate the request of the affected families, and through this complaint want to bring to your attention seven more instances of extra judicial killings in Uttar Pradesh, which were documented during a study conducted by Citizens Against Hate in collaboration with various civil society organisations into ‘encounter’ killings in Uttar Pradesh. The fact finding conducted between December 2017 and March 2018, highlights the dubious nature of these incidents, which follow a strikingly similar pattern thus debunking the encounter narrative of the police and also indicates the manner in which the guidelines and procedures laid down by the Hon'ble Apex Court and the NHRC have been flouted. The victim families are harassed and victimised by the Police when they have made efforts to access justice, thus leading to a situation of complete impunity for the Police in these State sponsored killings and no protection, compensation or procedural redress for the victim families. A table highlighting the family testimony contradicting the police narrative and the procedural lapses by the investigating authorities in seven cases of extra judicial killings in the state of Uttar Pradesh is annexed as Annexure 1 at page _____to _____).

The trends which can be seen in the facts and circumstances detailed in Annexure 1, show that the alleged police encounters are not spontaneous, rather there are signs of pre-meditated planning behind the encounter story and a repetition of sequence of events in the police version as detailed in the FIRs.

Analysis of facts and circumstances presented in family testimonies that bring to light the falsity in the police version of encounter deaths

- a) **Abduction of victims before the incident:** In most cases the eye witness accounts tell of police or people in plain clothes abducting the victims a day before they are allegedly killed in an armed confrontation. Where the family was aware that the victim was in police custody, they are first shown to have absconded from custody. Thereafter, the police receive

information about the victims illegal activities, they are then shown as being killed in an alleged encounter.

- b) **Torture marks on the body of the victims:** Unlike the police version of the incident which details spontaneous gun battles with the victims, in most cases, family narratives show evidence of torture of the victims. Family narratives point out multiple fractures in hands, legs, vertebral columns along with other torture injuries. In some cases, where the families are able to access the Post Mortem Reports, injuries shown in Post-mortem reports corroborate the family narrative.
- c) **Tattoo marks around the bullet wounds, indication of closed range firing by the police:** Some Post Mortem Reports state that the bodies had tattooing marks and blackening of skin around bullet holes, indicating that the shooting had taken place at very close range, and could not be attributed to bullet marks in a shoot-out.
- d) **Direct bullet hits:** Some cases have direct hits to the body, head, face or chest, again unlikely in a shoot-out.
- e) **Awards declared on the victims:** In most cases, the families have revealed, that the police put the victims on most-wanted lists and with rewards on their head, just after the incident. The family members contest these claims of the police.
- f) **Identical sequence of events recorded in the FIRs:** The sequence of events which led to the 'encounter' as stated by the police in FIRs recorded by them, tend to be identical. In UP the FIRs in parts, even use exactly the same text, hinting at use of a common template by state police to record the version of the incident. The FIRs identify the victim as aggressor, against whom the police shot in self-defence. On paper, these police "encounters" are said to comprise a spontaneous shoot-out between police officers and armed criminals in which the police are fired upon, and (in self-defence) fire back, killing the alleged criminals. In most cases, the police has received a tip off from an informer about criminals planning to commit a crime or they have been informed of criminals who have looted bikes, cars etc and are on the run. Thereafter, the police in all these cases spot the criminals on motorcycles or cars and try to stop them. The criminals try to escape by firing at the police officials and are chased by the police. All the FIRs also state that during the chase, the vehicle used by the criminals loses balance, upon which the criminals abandon their vehicle and start firing at the police. Further another similarity seen across all the FIRs is that while the police has managed to injure one person, his accomplice always manages to escape, on foot, leaving his vehicle, despite heavy police presence.
- g) **Minimal injuries received by the police:** The pattern of injuries received by the police officers also show a set trend. For instance, the injuries to police officers in these incidents, as recorded in the FIRs, are consistently minimal, in most cases, bullets hitting them in the arms or legs, and in all cases bullets just grazing past, even though the alleged criminals shot at them indiscriminately. Another trend in the FIR is that the bullets fired by the alleged criminals hit the bullet proof jackets worn by the officers during the ostensible exchanges of

fire. In none of the cases, the police have seized these bullet proof jackets for further investigation.

- h) **Escape of unknown person in encounter:** As per police FIR, in all the cases there is/are unknown criminal(s) who manages to run away in an unbelievable fashion. This is remarkable considering the victim and alleged “criminals” are surrounded and trapped in a planned encounter, with the police far out numbering the criminals. This allows, police to add ‘unknown person(s) in the FIR. This unknown person is later shown to be ‘encountered’ in another case of fake encounter by the police.
- i) **Eye witnesses:** There is a serious lack of (civilian) eye witnesses to the ‘encounter’ in the police claim but independent fact-finding team reports reveal that there are many witnesses to victims being taken away by police just prior to being reported killed in an encounter.
- j) **Family’s narrative on suspicion after the police picked up their relatives** – In cases where family had a knowledge of their relative being picked up by police, they were already suspicious that they might be killed and shown to have been ‘encountered’. Infact, these families also wrote to various authorities sharing their suspicion even before the person was killed.
- k) **Police reprisal:** Family’s and witnesses account or statement is neither recorded nor investigated, rather series of threats in the form of direct threats or fabricating false cases against witness, relatives etc are common in most of the case. In many cases police have filed cases against relatives and witnesses. They also use many extra-legal and informal methods as threat, for instance using informers to convey that all the relatives would be put behind bars or killed in ‘encounters’ or torture of arrested family members, or large police forces humiliating the family by constant home visits. The families have alleged that the police actively undermine family’s ability to challenge police claims, and seek justice. The police have registered cases against victim’s siblings, relatives and even parents, or instigated others to accuse family members of rape, all in a systematic attempt to intimidate and prevent victim families from challenging the police version and obtaining justice. The reprisal becomes particularly serious once family members begin to take action to challenge the police and trigger the criminal justice system. The extent of planning to silence the victims is chilling.

Analysis of cases of extra judicial killings in light of the violation of procedural guidelines on encounter killings laid down by the Hon’ble Supreme Court:

The following paragraph highlights the violation of due process by the police officers investigating the alleged instances of police encounter, as laid down by the Hon’ble Supreme Court in PUCL vs. State of Maharashtra (supra).

- a) **Registration of First Information Report** – In all the cases documented in Annexure 1, an FIR for attempt to murder and for possession of arms and ammunitions, has been filed against the deceased victims. In none of the cases, has an FIR been filed against the concerned police officer who used a fire arm that led to death in the alleged encounter, as mandated by the Supreme Court guidelines. Since no FIR have been registered against police officers

responsible, there is no case against police personnel and hence no investigation. Attempts by families to have FIRs for murder registered, were also denied.

- b) **Information to the next of kin:** As per the guidelines, a death in encounter is to be reported to victim family, at the earliest. In most cases cited above, this was not done, and the information reached the family through other villagers, whatsapp and news reports.
- c) **Investigation by an Independent Body:** In none of the cases, the investigation of the case is transferred to an independent body such as the State CID Department as is mentioned in the Supreme Court guideline. Even where the investigation has been transferred, it has been given to the neighbouring police stations. It is pertinent to note that in the cases documented, the FIR talks about the involvement of more than one department or police station.
- d) **Magisterial Inquiry under Section 176 CrPC –** In most cases, the family is not aware if a Magisterial Inquiry has been held. It is also pertinent to note that the families have not received any summons from the Police or Magistrate to give their statements. In some cases even Final reports has been filed without consulting the family. Further, the Supreme Court guideline also states that the report of the Magisterial Inquiry should be sent to a Judicial Magistrate having jurisdiction u/s 190 CrPC. The families have not been made aware if the said procedure has been followed in the cases.
- e) **Investigation report to be sent to Court u/s 173 CrPC:** While the chargesheets have not been filed by the police in any of the cases, Final Reports u/s 173 CrPC have been filed.
- f) **Out of turn promotions and rewards:** It is being routinely reported in the local newspapers that police officers who are involved in carrying out these alleged police encounters are being awarded promotions and monetary rewards by the State Government in defiance of the Supreme Court guidelines that state that there should be no promotions or awards until the officer concerned has been cleared beyond doubt.
- g) **Post Mortem Reports not being provided to the victim families –** Families are routinely being denied copies of the legal documents such as the FIR and the Post Mortem Report. The Post Mortem Report is a crucial piece of evidence for the families to prove their claim of torture and direct bullet hits on the body which are not possible in a spontaneous gun shoot as is being claimed by the police.

PRAYERS:

In light of the facts and circumstances mentioned above, and given the serious concerns regarding the safety of the complainants and witnesses, the complainants pray that the Hon'ble Commission may be pleased to issue the following directions:

- a) Record the statements of the affected families and institute an independent inquiry into the 7 cases of alleged police encounter mentioned in Annexure 1, under Section 12 (1) and Section 14 of the Protection of Human Rights Act, 1993, through the investigation team of the Commission, or through a body which is independent from the Uttar Pradesh and the Central Government. The team constituted for conducting the inquiry should have medical and ballistic experts belonging to a State other than the State of Uttar Pradesh. Similar inquiry should be

initiated in all such cases of extra judicial killings which have taken place in Uttar Pradesh in the last one year;

- b) Direct the investigating officials in these cases, to share, within a month's time, status of investigation and produce documents pertaining to the cases before the Commission and necessarily provide the same to the complainants. This must particularly include (i) FIRs registered in the cases; (ii) relevant chargesheets; (iii) General / Daily Diary register entry of the relevant Police Station, of the day of incident; (iv) Wireless log book record of the relevant PS (or district police wireless HQ, where such log is maintained) of the day of incident; (v) log book records of the day, of govt. vehicles used by all police officers engaged in the said encounter; (vi) Call Details Records (CDR) of mobile phones used by the deceased, and by all police officers engaged in the encounter (date range: one week prior to date of encounter to one week following)
- c) Order prosecution of Police officials against whom there is prima facie evidence of being involved in extra judicial killing and also against police personnel who have been involved in malicious investigation and/or have threatened the families against approaching grievance redress mechanism, including the NHRC, for seeking justice.
- d) Issue orders for protection of the complainants and their families and the eye witnesses in these 9 cases. This to prevent reprisal by police and state administration against victim families seeking the help of the Commission to secure justice;
- e) Provide compensation and relief grants to the complainants u/s 18 of the Protection of Human Rights Act, 1993.

Sincerely,

Henri Tiphagne, People's Watch;

Harsh Mander, Aman Biradari Trust;

Akram Akhtar Chaudhary, Afkar India Foundation;

Sajjad Hassan, Citizens Against Hate/Misaal;

Suhail K K; Quill Foundation;

Mathew Jacob, Human Rights Defenders Alert – India;

Suroor Mander, Aman Biradari Trust;

Nadeem Khan, United Against Hate;

Devika Prasad, Commonwealth Human Rights Initiative;

Manisha Sethi, Jamia Teacher's Solidarity Association;

Rajeev Yadav, Rihai Manch;

Mushfique Raza, Association of Protection of Civil Rights.

ANNEXURE 1 - TABLE HIGHLIGHTING FAMILY TESTIMONY CONTRADICTING THE POLICE NARRATIVE AND THE PROCEDURAL LAPSES BY THE INVESTIGATING AUTHORITIES IN CASES OF EXTRA JUDICIAL KILLINGS IN THE STATE OF UTTAR PRADESH

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
1.	<p>Noor Mohammad @ Hassen Mota</p> <p>30th December, 2017 at 10:00 PM</p> <p>Place: Near Shatabdi Nagar, Meerut</p>	<p>Police got information about 2 criminals about to commit a crime.</p> <p>Police set up barricades to apprehend the criminals.</p> <p>Two people on a motorcycle, tried to flee after seeing the police, chased by the police, motorcycle lost balance and fell, criminals fired gun shots at police, police fired in self defence.</p> <p>One criminal injured, taken to hospital, succumbed to injuries, the other accused escaped, could not be identified.</p>	<p>4 bullet wounds in temple and abdomen area.</p> <p>Family noticed severe marks of beating on the body, fractured arm and leg</p> <p>Strong smell of burning flesh, and blackening around the gunshot wounds indicating bullets fired from a close range.</p>	<p>Family alleges, he was on his way home when he was waylaid by the police, illegally detained, tortured, and subsequently shot repeatedly.</p> <p>The x-ray report taken on 29th October 2017 clearly suggests an issue with his bone structure indicating that Noor Mohamed was in great pain and in no condition to take on the police in an alleged gun fight.</p> <p>Apart from a few petty cases Noor Mohammed was never involved in any organised crime in the region, contradicts police version of Noor Mohammed being a dreaded gangster with links to the Mukim Kala gang.</p>	<p>FIR No. 871/2017 filed at PS Partapur on the statement of SI, Jayvir Singh, Crime Branch, Meerut against Noor Mohammad and another unknown accused, u/s 307 IPC.</p> <p>Empty cartridges fired by accused collected, empty cartridges fired by police not collected due to flooding in the wheat fields.</p> <p>3 police officials hit on their bullet proof jackets by the bullets fired by the criminals. Jackets not parceled and sealed for further investigation.</p> <p>Post mortem was conducted. Noor Mohammad's family is not aware of any further investigation being carried out by the police.</p>

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
2.	<p>Akbar s/o Mahmood 3rd February, 2018 at 7.10PM Place: Near Kali Mandir, Jhijnjhana - Un Road, District Shamli</p>	<p>As per police records, Akbar had escaped in an encounter on 1.1.2018 in which Sabir was killed, and thereafter police had declared a reward of Rs. 50,000 on Akbar.</p> <p>03.2.2018 FIR filed against Akbar for extortion & attempt to murder. SWAT team informed, plan made to capture the accused.</p> <p>Two people came on a motorcycle to pick up the ransom money, asked to surrender by the police, assailants fired upon the police, police fired in self defence.</p> <p>One criminal injured, taken to hospital, succumbed to injuries, the other accused escaped, could not be identified. Two policemen also received bullet injuries, were sent to the hospital for treatment.</p>	<p>5 bullet wounds including on face, stomach and chest, One arm fractured, ligature marks present on right leg, indicating that he was tied up.</p>	<p>Akbar was residing in Bangalore with his family. His wife & children had come to their village in UP, 8 days before Akbar's encounter. His wife is not aware how and when Akbar came to District Shamli.</p> <p>Akbar was in Bangalore throughout January, contradicts police claim of Akbar escaping, where Sabir was killed. No inquiries were made by the police at their house in District Shamli.</p>	<p>3 FIRs (76/2018, 77/2018 and 78/2018) filed on the statement of Sandeep Baliyan, SHO, PS Jhijnjhana, District Shamli, against Akbar and another unknown accused u/s 307, 414, IPC & Sec 25 of Arms Act, 1959. A Post Mortem was conducted by the Police, the report of which has not been made available to Akbar's family. Family is not aware of any further investigation being carried out by the police.</p> <p>FIR mentions 15 bullets fired by police and recovery of 13 bullet shells. FIR further states that 11 bullet shells fired by the police were parceled and sealed from the scene of crime. No explanation given as to the discrepancy.</p> <p>FIR states a bullet fired by the accused got stuck in the bullet proof jacket of SI Sunil Singh. FIR makes no mention of the bullet proof jacket and the bullet being parceled and sealed for investigation.</p>

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
3.	<p>Waseem S/o Mustakeen 28th September, 2017.</p> <p>Place: Saroorpur, Meerut</p>	<p>On 11.9.2017, FIR was registered by Kairana PS, stating Anuj s/o Veerpal was injured in police action and taken into custody and Waseem was shown as fleeing the scene of the gunfight.</p> <p>On 28.9.2017, information was received by STF, Meerut that Sabir along with Waseem were going to commit a crime in Meerut.</p> <p>Police set up barricades to apprehend the criminals.</p> <p>Two people on a motorcycle, tried to flee after seeing the police, chased by the police, criminals fired gun shots at police, police fired in self defence.</p> <p>Waseem was injured, taken to hospital, succumbed to injuries, Sabir escaped, could not be arrested.</p> <p>As per police records, on 1.1.2018 Sabir was killed in an encounter and Akbar was shown to have fled the scene.</p>	<p>PM report mentions 4 gun shot wounds – one on the left side of Waseem’s temple, one on the upper left side of his shoulder, one on the abdomen, and one on the left wrist.</p> <p>The gun shots are at angles that suggest it was fired from close range and from above. Mild blackening found around the wound indicate extremely close range fire.</p>	<p>Waseem’s mother states that Waseem was not with Anuj on 11/09/2017 when the alleged clash with the police took place. Waseem was working as a daily wage earner outside of U.P.</p> <p>She was falsely framed on the charge of trafficking drugs 6 days before Waseem was murdered. An informer working on the bidding of the police informed Waseem of his mother’s arrest. Waseem came to Shamli to enquire about his mother’s whereabouts. Waseem was detained by the police and taken to Meerut, where his staged encounter/murder was carried out.</p> <p>On 24.9.2017 a police contingent from Shamli had arrived and vandalised Wasim’s and his neighbour’s house in Jaghanpura village. Four days later, police called the village pradhan to say that Waseem had been shot dead in a police encounter in Sarurpur area of Meerut. Waseem’s family members were in jail when Waseem was killed and they were not allowed to attend his funeral.</p>	<p>3 FIRs filed at PS Saroorpur Meerut District against Sabir and Waseem charging them u/s 307 and Sec 25 of Arms Act.</p> <p>Post Mortem was carried out by a team of doctors and the same was videographed by the police.</p> <p>Waseem’s mother has sent representations to NHRC and other authorities. No response yet.</p>

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
4.	<p>Naushad @ Danny s/o Jamil Sarvar s/o Kamil 29th July 2017 Place: Bhura, PS Kairana, Shamli</p>	<p>At around 3.15 am on 29.7.2019, SO Dharmendra Singh Pawar PS Kairana alongwith 3 police officers (PO) met an informer on the road who told him that Naushad and his accomplice will come near the Masjid next to the graveyard between 4-5 am. They are heavily armed and are planning to commit a crime. SO called for additional force, and Insp Raj Kumar Sharma Crime Branch, along with 8 officers and SO PS Jhijhana Bhagwat Singh along with 4 officers reached the spot. They took their positions in two teams waiting for the criminals. At 4.10 am they saw two people walking in their direction and one of them was carrying a gun. The informer identified the criminals. SO PS Kairana asked the criminals to stop. Both the criminals started shooting at the police party. The other police party also asked them to stop their fire, on hearing that the criminals started turning around and shooting at the police parties on both sides. SSI Sandeep Baliyan got hit by the bullet on his stomach. SO then gave the police orders to shoot at the criminals, both the criminals got shot and fell down. Co. Naresh Kumar and Co. Sandeep Kumar identified the criminals as Naushad & Sarvar. The police recovered 4 guns from the accused, which was being used by them to fire at</p>	<p>The families of Naushad & Sarvar share that both of them had severe torture wounds and broken bones. Moreover, Sarvar received a bullet shot in his mouth and Naushad in his chest on the left side.</p> <p>The families have not yet been given the Post Mortem Report.</p>	<p>Local villagers, family members share that Naushad and Sarvar were called to one Yasmeen alias Rano's house for dinner. She personally landed up at their houses to insist for the meeting. Next day by early morning, news spread that they were killed in an encounter.</p> <p>Yasmeen alias Rano has filed FIR No. 732/2017 dt 4.8.2017 at PS Kairana u/s 452, 376D, 323 and 506 IPC alleging sexual violence against Naushad, Sarvar and their brothers and other family members. Yasmeen has stated in her FIR that Naushad and Sarvar came to her house many times with different people some of them named Ikram and Hamid, Inam, Bilal, Afsar, Nawab, and others (who were unknown to her) and they all raped her multiple times.</p>	<p>FIR No. (680, 681 and 682) were filed against Naushad & Sarvar at PS Kairana, dt 29/7/17, u/s 307 IPC and Section 25 Arms Act.</p> <p>A Post Mortem was conducted.</p> <p>The family has no further information about the investigation carried out by the police. They have not pursued any legal action against the police officers fearing that other family members would also get implicated under the false charge of sexual violence.</p>

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
		<p>the police and 22 bullet shells fired by the accused. The police also recovered 14 bullet shells fired by them. The accused were sent to CHC Jhinhana for treatment. While Sarvar died on the way to the hospital, Naushad died during treatment.</p> <p>Injured police officers - SO PS Jhijhana Bhagwat Singh, SSI Sandeep Baliyan, SI Adesh Kumar, Co Raju Tyagi, Co Ashish Kumar. They were sent to CHC Jhinhana for treatment.</p>			

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
5.	<p>Jaan Mohammad alias Jaanu s/o Iqbal 17.09.2017 Place: NH-58, PS Khatoli, Dist - Muzaffarnagar</p>	<p>S.I. Subey singh alongwith 5 other officers and SI Tej Singh, PS Khatoli with 3 other officers were at a check post. At 5.30 am a white coloured Swift car had been coming from Meerut side they gesticulate with torch light to stop them but they hit the barricade and ran away towards Muzafarnagar, police then suspected them to be criminals and informed the control room. SI Subey Singh alongwith 5 officers started following them. When police tried to stop them near Khatoli turn, the accused fired on them with the intention to kill them. The police then managed to overtake the suspected car, and the accused's car collided with pipe of a tin shade. When policemen got out of their jeep and accused started firing on the police where Co Deepak and Co Sohanvir were injured. For the self defence SI gave the order to fire back. One of the accused managed to get out of the car and ran away towards the fields whereas other one sitting at the driving seat tried to escape but he got injured. Police went close to the injured accused where they found that he is Janu @ Jaan Mohammad s/o Iqbal, a wanted criminal who escaped in police clash on 11/09/2017. Forensic department was called for investigation. The injured police officers were senty to</p>	No details available.	<p>Jaan Mohd.'s family states that he was in prison for 2 years and was out on bail 5 months ago. Since police had started harassing him and his family again, he had to leave his house in the village and stay away. Police raided his house on one occasion at night and took away some household things including their mobile phones. Family says police had threatened to kill Jaan Md.</p> <p>On 15.9.2017, Jaan Md visited his lawyer Adv. Sajid in Meerut to surrender himself in court. But as court timings were over for the day, lawyer asked him to come on Monday. Jaan Md. then went to Ayyub (his cousin)'s house in village Kaithwari, Meerut to seek his help to surrender. Police raided Ayyub's house and later it was heard that Jaan Md. has been encountered.</p> <p>Family says that Jaan Md. did not know how to ride a car. Also, when he was planning to himself surrender before the court, then why would he plan to commit any crime.</p> <p>Younger brother Feroz is now being implicated in the cases where Jaan Md. was earlier accused. He is currently in prison; family is not applying for bail out of fear that police will kill him in an encounter if he comes out of jail.</p> <p>Five days after the encounter, police raided the family's one room house in the village and</p>	<p>Three FIRs (FIR No.s 1227/17, 1228/18 and 1229/17) have been filed by PS Khatauli, Meerut against Jaan Md. and unknown accused dated 17.9.2017. He has been accused under IPC section 307, Arms Act sections 25 and 27 and IPC section 414 respectively.</p>

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
		CHC Khatoli for treatment and dead body of Jaan Mohammad was sent to Dist Hospital, Muzaffarnagar.. The police recovered 2 guns from near the accused and 13 bullet shells. The police fired 13 bullets at the accused persons, they were able to recover 6 bullet shells fired by them.		vandalised it.	

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
6.	<p>Ehsaan s/o Mehmood</p> <p>25.03.2018</p> <p>Place: Saharanpur, UP</p>	<p>As per newspaper reports police was informed on 24th March night, that two criminals had shot a farmer and had looted money from him. They were in the lookout for the criminals. The police officials of the Crime Branch saw the criminals near Ganna Mandi under PS Mandi, early in the morning. The accused fired at the police, and the police fired back in self defence. Ehsaan was injured while his accomplice managed to escape. Co. Sachin Sharma was also injured in the cross firing who was sent to District Hospital for treatment. As per UP police, Ehsaan had 40 cases of dacoity, murder and rape registered against him and had an award of Rs. 25,000 on his head. Police recovered a bike, Rs. one lakh in cash (which was loot money) and a 9mm pistol from Ehsaan.</p>	No details available	<p>Ehsaan's wife, Shamima states that three and a half years ago, Ehsaan had been arrested and picked up from Jhinhana, and convicted for 5 years at Dehradun. Shamima had got him out on bail on 9th March, 2018.</p> <p>Since he was very unwell, he had gone to live at a relative's place. The day he was killed, he spoke to his sister (Shama) and Shamima saying that he was with his Uncle's daughter (Ruksana, w/o Usman, Nawabganj, Sarai Chowk) and that he would return the next day as he was not well. This conversation was at 2-2.30 pm. At 5.30 pm his family was informed of his demise.</p>	No details available.

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
7.	<p>Qasim s/o Sumrat</p> <p>02 August 2017</p> <p>Place: Near his house, in village Bisambhra, Chhata, district Mathura, UP</p>	Information not available.	Information not available.	<p>Qasim was running a <i>chakki</i> shop in the village for the past 10 years. His family states that Qasim was acquitted in all criminal cases at the time of this incident.</p> <p>Police came into the village on early hours of 2nd August 2017, looking for Sahun (a known criminal) who managed to escape. Qasim and his mother had returned home very late from a hospital. Qasim was in his house, when police started firing at his house. He was hit by a police bullet but he tried to escape. His mother clarified to the police that its Qasim and not Sahun. Qasim ran towards the roof of the neighbours. Even neighbours tried to clarify to the police, but they were asked to go inside and close their doors. Police fired a range of bullets. Qasim was hit and he fell flat on the roof. A mother feeding her baby in the neighbouring house went unconscious due to the sounds of the gunfire.</p>	Family has engaged a lawyer. No further information available.

S.No	Name of the victim, place & Date of incident	Police version of the incident based on FIR	Injuries on the body	Family testimony	Details of legal proceedings
8.	<p>Gurmeet s.o (Late) Sompal and Mahendri</p> <p>31 March 2017 Place: near Bhayala fatak, Deoband road, district Saharanpur</p>	<p>Deoband Police filed FIR No. 36/17 on 31st March 2017 against (1) Gurmeet (2) Susheel and (3) Kalu under section 307 of Indian Penal Code.</p> <p>Police during their checking routine was informed by an informer that the three men standing near a motorcycle near the Bhayala fatak were criminals and are going to commit a crime. Police called out to the three men to surrender themselves, but they fired upon the police and tried to escape leaving the motorcycle behind. One criminal was hit by the bullet and fell down, who was later identified as Gurmeet. Another man, Susheel, was arrested by police next day at around 6.10am.</p>	Bullet wound in left leg and back (from behind)	<p>Gurmeet used to work in a Paper Mill in Saharanpur.</p> <p>Kala alias Kalu, a resident of village Bachiti, PS Deoband, district Saharanpur is a police informer who visited their house on 30 March 2017 in the evening on a motorcycle and asked Gurmeet to come with him.</p> <p>Gurmeet did not return till night and family later got to know that Kala had kept him near his tubewell in the farms, and had informed the police then.</p> <p>Next day, on 31 March 2017, Gurmeet was fired at by police near Bhayala fatak on Deoband road in district Saharanpur. Crowd had gathered near the place of incident after hearing the sound of the gunshots. Susheel s/o Satish was also present at the spot who saw that Gurmeet went unconscious after being injured by the bullet wounds and that police seemed scared because of the crowd which had gathered.</p> <p>Gurmeet was admitted to Saharanpur government hospital where his condition remained critical. He passed away in the same hospital on 22 April 2017.</p>	<p>Police closure report gives clean chit to cops, magisterial inquiry pending (Indian express report)</p> <p>Family attempted to filed complaints at the police stations several times but they were dismissed and threatened every time.</p> <p>Family filed petition under section 156(3) of Cr.P.C. on 17 June 2017 to Sessions Court, Saharanpur District.</p>