

TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN : AGARTALA

COMPLAINT NO. 97 OF 2025

1. Rupak Das, Belonia.

..... Complainant.

Vs

2. Ratan Rabi Das, O/C of P.R Bari P.S, Sethai Mog, ASI and Constable
Debabrata Pal of P.R Bari P.S, South Tripura.

..... Respondents.

FINAL ORDER

Dated 24.10.2025

The present complaint case was registered based on the complaint filed by one Rupak Das, S/o- Babul Das, having mobile number 773912433 and email id drupak535@gmail.com. The complainant does not specifically mention about his residential address.

2. The Commission perused the complaint and on perusal of the complaint the Commission fails to understand what actually the complainant intends to say. So, the complainant was asked to appear in person and to give his statement before this Commission so that the Commission can proceed further. Accordingly, the complainant appeared on 08.08.2025 and statement of the complainant was recorded on oath. Thereafter, notice was issued to Sri Ratan Rabi Das, O/C of P.R Bari P.S,

Sri Sethati Mog, ASI, and constable Debabrata Pal of P.R Bari P.S to appear before this Commission.

3. The evidence of Rupak Das, in short, is that on 16.07.2025 his brother Saikat Das was riding a motor cycle of his father in his village. One police mobile van was stationed on the road police spotted his brother. His brother wanted to know the reason of stopping him. He admitted that his brother was not wearing helmet at that time was not and having any driving license. Police Personnel asked his brother to pay fine and his brother expressed his inability to pay fine. Then the Police Personnel, Sathai Mog, ASI and constable Debabrata Pal asked his brother to manage fine somehow. Thereafter his brother Saikat made contact with him over mobile and described the incident. Accordingly, he rushed to the spot with his vehicle. The said Police Personnel demanded fine money from him due to fault of his brother. Accordingly, he agreed to pay the fine money, but requested police personnel to give him money receipt. But the police personnel refused to give any money receipt. Then he refused to make payment without money receipt. Thereafter the police personnel scolded him with filthy languages and threatened him and his brother that they would harass them. The complainant wanted to know what offence were committed by him. Then police replied that he should not behave adamantly and they would take him to the P.S. Thereafter, forcefully they took him and his brother to Rajbari Police fari under P.R.Bari P.S at Rajnagar. In the police station Police Personnel misbehaved with him saying that he was teaching law to them. They forcefully undressed him and made him necked in front of a women police personnel also. Thereafter, pushed him into the lockup. He protested for pushing him in the lock up without any offence. The police personnel took away his mobile and demanded password of his mobile which he denied. Police Personnel scolded him with filthy languages and slapped him. Thereafter they took him to the hospital

but he was not even asked to get down from the police vehicle and all along he was sitting in the police vehicle. Sri Sethai mog, ASI entered into the hospital premises, thereafter he was again brought to the police station and he was unnecessarily scolded and his parents was also scolded saying that he was teaching the police the law of the land and alleged that the complainant misbehave with the police personnel. After two hours police personnel released him from the Police station but his motorcycle and his brothers motor cycles were kept in the police station and asked him to take the motor cycles from the police station on the next date. His father went to the police station on the next date but police did not release the motor cycles which was in the name of his father though his father had valid driving license and vehicular documents. SI Ratan Rabi Das demanded his presence in the police station to take the motor vehicle. Then the complainant said that he would not come police station to take the motor cycle because by the time he decided to protest against such unlawful acts of the police personnel and requested his father to bring his motor cycle. Said Ratan Rabi Das also told his father that if he did not bring his motor cycle his father's motor cycle would also not be released and threatened that his father would suffer three years imprisonment if the complainant did not visit the police station to take his motor cycle. As a result, both the motor cycles remained in the police station. He also stated that S.I Ratan Ravi Das also asked his father that he would release the motor cycle provided complainant and his father had to give undertaking that they would not have any complaint or grievance against the acts of the police personnel and for that he lodged the present case.

4. On 08.08.2025, the Commission considered that notice should be issued to Ratan Rabi Das, O/C P.R bari P.S and constable Debabrata Paul, P.R bari P.S to appear before this Commission and fixed the next date on 03.09.2025. Accordingly, Ratan Rabi Das and Constable Sri Sethai Mog

appeared before this Commission and on that day constable Debabrata Paul also appeared. They all were examined. The statement of Ratan Rabi Das shows that on 16.07.2025, at about 12.30 P.M ASI Sethai Mog and constable Debabrata Paul being accompanied with TSR personnel had brought a person under arrest namely, Saikat Das, S/o Babul Das, residence of Barpathori, aged about 25 years and reported that while they were performing their official duty of vehicle checking at Sunapur, North Kashari they detained one Saikat Das with a motor bike having registration no. TR08E8691 as the rider was not wearing any helmet and failed to produce documents related to the vehicle. In the meantime said Saikat informed his elder brother Rupak Das and Rupak Das also rash to that spot with a bike bearing no. TR08E6557 and he was also not wearing helmet. Said Rupak Das have challenged the authority of the police to check the vehicle at that particular point and started to take video of police. Rupak appeared to be under influence of lacquer. He was demanding registration and insurance of the bike of the police personnel. When the police team refused his approach he started to threat the police team and also started obstructing the police personnel from discharging their official duties. As such he was brought to the police station under arrest. Thereafter, medical examination of Rupak Das was done. The complainant brought all the relevant documents. He produced copy of medical examination reports of Rupak Das. Medical officer opined that the complainant Rupak Das consumed alcohol but was able to take care of himself. After one and half hours later, his father Babul Das came and he was handed over on bail in favour of his father. Subsequently, P.R was filed u/s 194D against the complainant for driving bike without helmet and u/s184 MVA Act for driving bike in excessive speed, u/s 181 of the MVA Act for driving bike without driving license, u/s 185 of the MVA Act for driving the bike consuming alcohol. O/C Ratan Rabi Das admitted that he did not arrange for a blood test to know about the percentage of alcohol present in the blood

of the complainant to support prosecution of the u/s 185 of the MVA Act. According to him, he also submitted another P.R against Rupak u/s 84 of the Tripura Police Act. He denied the fact that the complainant was treated badly at the police station and he was scolded and was also slapped. According to him no such incident had taken place at the police station. But he admitted that he demanded password of the mobile of the complainant to check the video which the complainant had taken to see whether in that video some footage exist regarding performance of duties of police or not. But the complainant did not give the password. He also stated since they have submitted the P.R along with seizer list of the bike, they did not release the bike and asked the father of the complainant to obtain a bail order from the court in respect of the bike. The bike of the complainant Rupak Das was in the name of other person's ownership. It would subsequently be released in favour of actual owner. He denied the allegations of the complainant. He also proved a copy of the P.R in respect of the complainant as exhibit A series and B series.

05. The evidence of Sethai Mog shows that, the date of incident was 16.07.2025. At that time he was posted at P.R Bari P.S and at the relevant time he was performing vehicle checking duty at Sonapur, North kashari road under P.R bari P.S along with constable Sri Debabrata Paul and other TSR personnel. At about 11.00 the incident took place. Initially they detained one bike rider namely Saikat Das without helmet who failed to produce any document relating to the vehicle. The said rider telephoned somebody and thereafter another person came with another motor bike bearing No. TR08E6557 and said person was also not wearing helmet. After arrival, that person challenged authority of police to check to vehicle and obstructed them in discharging duties. He appeared to be in a state of drunk. So they detained him and took him to P.S. Thereafter, O/C took necessary action. As per direction of the O/C, he submitted two numbers of

P.R against him. One for violation of the MVA Act and another for obstructing them in discharging official duties. He also denied the fact that at the P.S the complainant was tortured by Police or abused by police. According to him, the complaint had stated falsely. He also proved the P.R no. 379 of 2025 as Exhibit C.

06. Sri Debabrata Paul, another witness stated that on the relevant date i.e on 16.07.2025 he was performing vehicle checking duty at north kashari area along with ASI Sethai Mog and at about 11.00 am first a minor boy came with a bike without wearing helmet. They detained him and asked him to produce documents. But he failed to produce any document including driving license. Thereafter, said minor boy telephoned somebody. After some time another person came with another bike and that person was intoxicated and coming to their place, that person challenged their authority to check the vehicles on the road and disturbed them in discharging their duties. Then they detained him and brought him at P.S. At the P.S he was produced before the O/C.

07. The produced documents Exhibit A shows that Rupak Das went to that place with a vehicle bearing no. TR08E6557(MC) and he violated 194D/184/181/185 of the MVA Act. Exhibit B shows that police initiated P.R No. 738 of 2025 against Rupak Das for offense U/S 195 D 184/181/185 of the MVA Act and reference GD no. was 10/12 dated 16.07.2025 and that Rupak Das was arrested by Police. The documents also show that the medical examination of Rupak Das was done in Niharnagar P.H.C and medical officer opined that Rupak Das consumed alcohol but could take care of himself. The Exhibit-C, the another document, proved in this case shows that P.R no. 739/2025 was initiated against Rupak Das u/s 84 of the Tripura Police for obstructing Police personnel from discharging Govt. duties.

08. On careful perusal of the material on record, it appears that the complainant admitted that his brother was without helmet and did not have any driving license. So, stopping or detention of his brother by the police at that particular place cannot be said to be unjustified. The allegation of the complainant that on his demand police refused to give money receipt could not be proved by him by adducing any cogent evidence. He also could not prove that at the P.S police misbehaved with him. From the evidence of the police personnel on record, it is also clear that the complainant appeared rashly to that spot by another motor bike without wearing any helmet and he was allegedly consumed alcohol. According to the complainant, he was not taken to the PHC, Police obtained the medical certificate. Documents show that a medical officer issued a medical certificate stating that the complainant consumed alcohol though he was able to take care of himself. The allegation that the complainant was not taken before the medical officer cannot be proved since medical document is proved before this Commission. Complainant did not state that the bike which he used was registered in the name of other person. Evidence of police shows that after the vehicle was seized, it was not released as the complainant was not the true owner. Complainant did not state specifically that he went to the particular spot by wearing helmet, rather from the evidence of police it appears that the complainant went to that place without wearing helmet and during that time he consumed alcohol. It is clear that when brother of the complainant was detained by the police without wearing helmet and without having any driving license, how the complainant went there by another bike and involved him by putting question to the police authorities while discharging official duties.

09. After recording the evidence of the police personnel, it appears to this Commission that the allegations of the complainant are totally unjustified. Complainant failed to prove that he went to the particular place by driving

his own bike and by wearing helmet. Regarding allegation of submission of wrong P.R by Police, the Commission cannot pass any order as those matters are subjudiced before a competent court and those matters are totally beyond the purview of this Commission. At the end, the Commission finds that the allegation of the complainants that O/C P.R bari P.S and ASI and constable behaved unmannerly with him and arrested him illegally is not proved, rather the Commission finds that police was justified in their action. Hence, this case has got no merit and accordingly, this case is disposed of having no merit

Inform all sides and the DGP Tripura.

Publish the order in the official website.



(Justice Arindam Lodh)
Chairperson



(U. Choudhuri)
Member