



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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**Ref No: HRDA/Central/MP/13/07/2020**

July 31, 2020

To,  
Mr Debindra Kundra,  
Focal Point - Human Rights Defenders & Assistant Registrar, National  
Human Rights Commission,  
Manav Adhikar Bhawan,  
Block-C, GPO Complex, INA,  
New Delhi – 110 023  
Email: [hrd-nhrc@nic.in](mailto:hrd-nhrc@nic.in)

Dear Sir,

**Sub: HRD Alert – India - Urgent Appeal for Action – Madhya Pradesh: Fabricated case against HRD Deepak Bundele in Betul district for challenging illegal and wrongful actions of the Madhya Pradesh police**

Greetings from Human Rights Defenders Alert!

HRD Alert -India is a forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are writing to express our grave concern regarding the fabricated case against Mr. Deepak Bundele, who is currently out on anticipatory bail. HRD Mr. Bundele is a lawyer in Betul district of Madhya Pradesh and is being intimidated by the Madhya Pradesh (MP) Police after he took actions against his brutal physical assault and intimidations by the police personnel.

**Source of Information:**

- Information from HRDA West Regional Coordinator
- Communication with the HRD
- Media Reports

**Date of Incident:**

June 18, 2020

**Place of Incident:**

Betul, Madhya Pradesh

**Perpetrators:**

Police personnel of Betul district, Madhya Pradesh

**About the Human Rights Defender:**

Mr. Deepak Bundele is a journalist and a lawyer living and practicing in Betul district of Madhya Pradesh. He has previously worked as a journalist for over 10 years in Bhopal in several leading newspapers.

**Background of the incident:**

On March 23, 2020, at about 8 pm, Mr. Bundele was on his way to the hospital alone because he was not feeling well. While Section 144 Crpc was in force in Betul, he was stopped by policemen of the Kotwali police station and brutally beaten. On the same night, Mr. Bundele got a medico legal case (MLC) report done and the next day, March 24, 2020, he wrote a letter to the District Superintendent of Police, complaining about the incident.

On May 17, 2020, Assistant Sub Inspector Mr. BS Patel and Head Constable Mr. Chandu Raghuvanshi of the Kotwali police station went to Mr. Bundele's home to record the statement of complainant of this incident. During the course of the conversation, Mr. Bundele was asked to take back his complaint and the policemen said that he was targeted and assaulted by mistake because the policeman thought that he was a Muslim, as he has a beard. This was recorded and documented by Mr. Bundele.

**Details of the Incident:**

On May 18, 2020, Mr. Bundele submitted a complaint to the Director General of Police of Madhya Pradesh against Mr. Patel and Mr. Raghuvanshi and stated that the police in Betul were intimidating him and forcing him to take back the complaint. He continued pursuing his case and took further actions on June 11, 2020, against the communal nature of the police and sought that a police complaint be registered against those who had beaten him up on religious grounds.

As a reprisal on Mr. Bundele, on June 18, 2020, at 10.38 p.m. an FIR was filed against him at Kotwali police station, charging him under sections 188, 353 and 294 of the Indian Penal Code. The FIR was based on the complaint of Sub-Inspector Mohit Kumar Dubey, who is in charge of Kotwali police station, and is supplemented with alleged eye witness accounts of three persons who were present at the time of the incident. The FIR stated that Mr. Bundele abused and assaulted police officials when they stopped him allegedly for not wearing a mask and was violating the lockdown rules.

It is to be noted that the compulsory mask directive was not enforced in the state of Madhya Pradesh until March 25 and the nationwide lockdown only came into force on March 24. Mr. Bundele is currently out on anticipatory bail which was granted on July 1, 2020 from Betul Court and is living under constant fear of being imprisoned on false charges.

We believe that the fabricated FIR on Mr. Bundele is a vindictive action by the police after Mr. Bundele insisted on taking action against the police officials who assaulted him. We ask the Hon'ble NHRC to note that Mr. Bundele is an acute diabetic who also suffers from blood pressure, and was on his way to the hospital when the original incident occurred on March 23 and as such the police stopping him was a direct violation of Article 21 of the Indian Constitution.

The eyewitness accounts mentioned in the FIR against Mr. Bundele were signed on May 20, 2020, incidentally, the same day that the media reported police's assault of Mr. Bundele was on account of his beard. The eyewitness accounts were provided by Pavan Malviya, Deepak Kose and Deepak Malviya, who said that they belong to an organisation called Rashtriya Hindu Sena. The three in their individual statements have said that Mr. Bundele abused and threatened police officials on March 23 and also stated Mr. Bundele fell on the ground and hit himself.

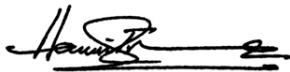
If the charges and narrative mentioned in the FIR are correct, we wonder what would have prevented the police officials in Betul from filing an FIR on that same day or even month. It is obvious and evident that complaint and the FIR are nothing but a vindictive action by the MP police to put pressure on Mr. Bundele, who is seeking justice through constitutional means.

## Appeal

The current charges by the police against HRD Mr. Bundele is a clear case of intimidation by the police and misusing laws and powers to cover up their own illegal and arbitrary actions. We request the Hon'ble Commission to urgently –

- Initiate an independent inquiry through its own investigation division to inquire into the alleged harassment and intimidation of Mr. Deepak Bundele.
- Based on the independent inquiry, direct appropriate legal prosecution proceedings against police personnel for the act of brutally assaulting, religious hatred, followed up by intimidations to withdraw the complaint and registering fabricated cases against the Mr. Deepak Bundele.
- Direct the Director General of Police of Madhya Pradesh to quash the fabricated case against Mr. Bundele and take urgent action against the police officials involved in filing a fabricated FIR against Mr. Deepak Bundele.
- Direct the Government of Madhya Pradesh to provide compensation for the physical and psychological harassment of Mr. Deepak Bundele.

Yours Sincerely



(Henri Tiphagne)

National Working Secretary