



Custodial deaths in Sambhal

Why in News?

Recently, a **man died in police custody** in Sambhal district of Uttar Pradesh, prompting his family and locals to protest, alleging **custodial torture**.

Key Points

- **About the Incident:**
 - While **police suggested a possible heart attack** as the cause, the victim's **family and locals protested at the outpost**, forcing officials to flee to avoid a **mob attack**.
 - Later, personnel from **the Rapid Action Force (RAF)** restored order by deploying forces in the area.
- **Custodial Torture**
 - **About:**
 - Custodial torture is the **infliction of physical or mental pain or suffering on a person who is in the custody** of the police or other authorities.
 - It is a grave violation of **human rights and dignity** and often leads to **custodial deaths**, which are deaths that occur while a person is in custody.
 - **Types of Custodial Death:**
 - **Death in Police Custody:**
 - Death in police custody can result from excessive force, torture, denial of medical care, or other forms of abuse.
 - **Death in Judicial Custody:**
 - Death in judicial custody may occur due to overcrowding, poor hygiene, lack of medical facilities, inmate violence, or suicide.
 - **Death in the Custody of Army or Paramilitary Forces:**
 - Can happen through torture, extrajudicial killings, encounters, or crossfire incidents.
 - **Challenges in Preventing Custodial Torture in India:**
 - Lack of ratification of the **UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)**, which India signed in 1997 but has not yet ratified.
 - This prevents India from being bound by international obligations and standards to **prevent and combat custodial torture**.

International Conventions for Human Rights

- **International Human Rights Law, 1948:**
 - The International Human Rights Law contains a provision which **protects people from torture and other enforced disappearances**.
- **United Nation Charter, 1945:**
 - The United Nations Charter calls for **treating prisoners with dignity**. The Charter clearly states that despite being prisoners, their fundamental freedoms and human rights are set out in the **Universal Declaration of Human Rights**, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

▪ **The Nelson Mandela Rules, 2015:**

- The Nelson Mandela Rules were **adopted by the [United Nations General Assembly](#) in 2015 to treat prisoners with inherent dignity** and to prohibit torture and other ill-treatment.

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