

BIHAR HUMAN RIGHTS COMMISSION (BHRC)

9, Bailey Road, Patna

File Nos. BHRC/Comp. 2975/15 & 4564/15

Case of Ramdei Devi: (Compensation awarded for motorcycle accident).

09.05.2018

Applicant Smt. Ramdei Devi, wife of Shri Kedar Ram, village Sudamachak, Post Matiari, P.S. Vijayipur, District Gopalganj present.

Petitioner's husband met with an accident and succumbed to the injuries received by him in course of treatment is admitted by the police also. Only denial or assertion is due to accident by two-wheeler vehicle when petitioner's husband was in intoxicating position, may never be a ground for not lodging FIR. Surprisingly, FIR is not lodged nor any record is maintained and such report is submitted to save the skin of negligent police officials. Whenever, a road accident takes place, victim of the accident or his dependents are entitled for compensation which only can be awarded if FIR is lodged. In absence of FIR no compensation can be claimed from the Tribunal made for this purpose.

In discussed circumstances, petitioner is entitled for compensation for death of her husband. As such this Commission recommends Rs.2,50,000 (rupees two lakh fifty thousand only) in favour of the petitioner by the Police Department payable within a month.

Copy of this order be sent to (i) applicant, (ii) Principal Secretary, Home, (iii) DGP, Bihar and (iv) SP, Gopalganj.

Compliance report be submitted by **22.06.2018**.

Put up on 29.06.2018.

(Justice Mandhata Singh)
Acting Chairperson