



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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NHRC Diary No. 16037//IN/2020 for the complaint submitted online

Ref No: HRDA/West/MH/05/09/2020

September 14, 2020

To,
Mr CS Mawri,
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

Dear Sir,

Sub: HRD Alert – Urgent Appeal for Action – Satara: False FIR registered against Adv. Varsha Deshpande by Satara 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 a fabricated and false FIR that has been registered against Woman Human Rights Defender (WHRD) and lawyer Adv. Varsha Deshpande by the Satara police.

Source of Information:

- Information from HRDA West regional coordinator
- Communication with the WHRD
- Media reports

Date of Incident:

August 24, 2020

Place of Incident:

Satara, Maharashtra

Perpetrators:

Sameer Sheikh, Sub-divisional Police Officer of Satara City Police Station.

About the Human Rights Defender:

Adv. Varsha Deshpande is a well-known activist in Maharashtra and is based out of Satara district. She has worked for many years against social malpractices such as female foeticide and child marriages. She is also the founder president of the organization called 'Dalit Mahila Vikas Mandal' which works with Dalit women for self-employment and has also established Free Legal Aid Center in 1996 with the help of Maharashtra Legal Aid Society.

Background of the Incident:

Ms. Tamanna Mujawar and Ms. Aishwarya Jadhav, both residents of Satara, had money dealings in the past due to which a dispute broke out between them. Ms. Jadhav had borrowed Rs. 15000 from Ms. Mujawar of which she had returned Rs. 12,500.

Since they were unable to resolve the issue, Ms. Jadhav approached the Free Legal Aid Centre on August 24, 2020. However unable to resolve the issue either, both were asked by the WHRD to visit the Satara City police station.

Details of the Incident:

On August 25, 2020, the Satara City Police registered an FIR against Adv. Varsha Deshpande based on a complaint filed by Ms. Mujawar alleging that the WHRD had physically assaulted her and demanded a ransom. The complaint stated that when a dispute cropped up between her and Ms. Jadhav at the Free Legal Aid Centre, Adv. Deshpande threatened her that she would initiate a legal case against her and also slapped her. Ms. Mujawar also accused Adv. Deshpande of demanding a ransom of Rs. 50,000, failing which she would file a complaint against her. Based on her complaint, the Satara city police station charged the WHRD under sections 384 (extortion) and 323 (causing voluntary hurt) of the Indian Penal Code (IPC).

In her complaint, Ms. Mujawar said that the Ms. Jadhav had asked her to come to Adv. Deshpande's office at 2.30 p.m. However, Adv. Deshpande has cleared that she had never called Ms. Mujawar to the office and the latter had come on her own volition.

On August 26, 2020, Ms. Jadhav filed a police complaint stating that she had approached Adv. Deshpande as she wanted help on how to get out of her current predicament. However, in her office, Ms. Mujawar started a verbal fight with Adv. Deshpande. She also alleged that Ms. Mujawar was forcing her into a prostitution and blackmailing racket. Ms. Mujawar allegedly demanded that Ms. Jadhav pay her the amount due with interest when she refused

to do Ms. Mujawar's bidding. Based on Ms. Jadhav's complaint the Satara city police station have filed an FIR under sections 452 (House Trespass), 342 (Wrongful Confinement), 323 (Voluntary Hurt), 504 (Intentional insult with intent to provoke breach of the peace), 506 (Criminal Intimidation), and section 5 of the Immoral Traffic (Prevention) Act, 1956 which pertains to procuring, inducing or taking an individual for the sake of prostitution against Ms. Mujawar. No one has yet been arrested.

We believe that the Ms. Deshpande, a longstanding woman Human Rights Defender of repute, has been implicated in a false case by the Satara police since she has been vocal about police inaction on several occasions in the past regarding sexual harassment of women. Recently, the WHRD had also complained to the state DGP about SDPO Mr. Sameer Sheikh and his handling of cases. Since there seems to have been a recent history with Mr. Sheikh as well as the facts of the above case, we are inclined to believe that the case against Adv. Deshpande is fabricated and false and has been filed with a malicious intent.

Appeal:

We therefore urge the Hon'ble Commission to order the Director General of Police of Maharashtra to set up an independent, impartial, and transparent investigation in the case of SDPO Mr. Sameer Sheikh misusing law to target WHRD Adv. Varsha Deshpande.

Depending on the outcome of the inquiry, to immediately take definite actions to quash all charges against her and apologise to the WHRD for the psychological suffering she has had to undergo because of this.

Put an end to all acts of harassment and intimidation against all human rights defenders in general in Maharashtra to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances.

Yours Sincerely,



(Henri Tiphagne)

National Working Secretary