

# India: Accused in Delhi rape found hanging in his prison cell

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The reputed ringleader of last December's brutal gang-rape of a young Delhi woman was found hanging in his prison cell at 5:45 a.m. Monday. The authorities at Tihar Prison immediately declared that 33 year-old Ram Singh had committed suicide—a finding that the police and government have been quick to embrace.

Ram Singh's father, his lawyer, and lawyers for several of the other accused are contesting this, charging that Singh was murdered. They have pointed to numerous discrepancies in the official story.

Prison authorities claim that Singh was under a special "suicide watch." But not only did this watch fail to prevent his death; prison guards only found Singh's body two hours or more after the estimated time of his death. Even the regular prison watch should have passed by his cell five times during the interval between the last time a guard says that he saw Singh alive and the time at which his body was discovered.

Singh is said to have fashioned a noose from his clothes and from threads drawn from a sleeping mat. But he had suffered injuries to both of his hands, leaving them with limited mobility and strength, and making it next to impossible for him to have tied a strong knot.

Singh was housed in a cell with three other people, yet they all claim not to have seen him preparing a noose and to have slept through his suicide.

"He has not committed suicide," declared Singh's father, Mange Lal. "He has been murdered and then hanged. I am saying this on the basis of the fact that evidences has been erased. He could not move his hand as it has fractures."

V.K. Anand, the lawyer for Singh and for his brother, Mukesh, a co-accused in the Delhi rape case, asserted, "There is some foul play. ... He is not such a person that he can commit suicide. I know he had a few complaints of jail authorities torturing him, but nothing that would make him take his own life."

Last December 16, a 23 year-old Delhi University student was enticed onto a bus in New Delhi, raped and severely assaulted. Subsequently, she and a male companion, who

was also severely beaten, were thrown from the moving bus, further compounding their injuries and trauma. The young woman, who cannot be named under India's rape laws, succumbed to her injuries on December 28.

The December 16 rape provoked a popular outcry. For more than a week, thousands of students, professionals, and others took to the streets of Delhi to decry the sexual harassment of women and official indifference to sexual assault. Smaller protests were held in urban centers across India.

While the anger was genuine, it was quickly manipulated by the corporate media, the Congress Party-led United Progressive Alliance (UPA) government, the Hindu supremacist BJP, and other rightwing forces to justify a further strengthening of the repressive apparatus of the state, including increased use of capital punishment.

This was facilitated by India's ostensible "left". The two Stalinist parliamentary parties—the Communist Party of India and the Communist Party of India (Marxist)—and various feminist groups and liberal NGOs echoed the right's "law and order" rhetoric. And like those who had initiated the protests over the Delhi rape, these forces ripped the issue of harassment and violence against women from its social and political context—an India that is characterized by extreme social inequality, want and economic insecurity, and in which feudal survivals like caste oppression and landlordism are intertwined with a brutal, globally-orientated sweatshop capitalism.

On February 3, the government promulgated a Criminal Laws Ordinance, providing for harsher penalties for sexual assault, and it has vowed to make this ordinance permanent by having a slightly amended version adopted in the current parliamentary session.

Taking advantage of the pro-capital punishment sentiments whipped up around the Delhi rape case, the UPA government ordered the secret execution on Feb. 9 of Mohammad Afzal Guru, a Kashmiri Muslim framed up for the December 2001 terrorist attack on India's parliament building. The execution of Guru was a calculated decision of

the Congress-led government meant to counter claims from the Hindu communal right that it is “soft” on terrorism and Pakistan and, even more fundamentally, to demonstrate, under conditions of mounting popular opposition to the bourgeoisie’s pro-market reform program, that it will answer any challenges to the authority of the Indian state with utter ruthlessness. (See: “A legal lynching: Indian government executes Afzal Guru”)

A veritable lynch-mob atmosphere has surrounded the accused in the Delhi rape case since Ram Singh, four other adults, and a juvenile were arrested in the days immediately following the horrific Dec. 16 attack. Many—including lawyers’ groups—have supported attacks on the presumption of innocence and the right of all accused to a proper legal defence

The local lawyers’ association ordered its members not to represent the accused, saying they did not merit legal representation, and two senior lawyers were openly jeered in court when they appeared on behalf of the accused at a January 7 hearing.

Initially, the authorities sought to deny the 17 year-old accused a trial in juvenile court, claiming that he was only masquerading as a youth.

The other five accused were sent before a newly-established “fast-track” court in the name of proving speedy justice. Such courts have a long record of running roughshod over the rights of the accused.

Ram Singh, who allegedly drove the bus used in the attack, was labelled by the prosecution as the ringleader of the gang-rape. Whatever the truth of that claim, he was the first of the accused to be arrested and, as a result of the information he provided, police subsequently arrested the five others.

Yesterday, Tihar Prison authorities announced that an autopsy conducted by five doctors had found Ram Singh died from asphyxiation due to hanging. The post-mortem said that the death “appeared suicidal in nature,” a finding that prison officials, the police and the media quickly trumpeted as conclusive proof Singh had taken his own life.

The autopsy said there were no marks on Singh’s body apart from his neck. This is contrary to claims made by one of Singh’s brothers, who collected his body for burial, and by one of the accused’s lawyers, Manoj Tomar, who said there were scratch marks on the body.

The authorities at Tihar Prison, which is touted as a state-of-the-art correctional facility, have yet to explain how their “suicide watch” failed. On Monday Indian Home Minister Sushil Kumar Shinde termed Ram Singh’s death a “major lapse in security ... not a small incident,” but the government has no intention of staging anything but pro forma inquiries. It presides over police-security forces and a prison system notorious for their use of torture and other abuses. The

government, it should be noted, has embraced virtually all of the recommendations of the Verma Committee—the committee it struck at the beginning of January to make recommendations on strengthening India’s rape laws—but not those calling for changes to the special laws that give the military in India’s north-east and Jammu and Kashmir sweeping powers of search and arrest and which have been repeatedly used to shield military personnel implicated in rapes from prosecution.

While seeking to put a quick end to the investigation of Ram Singh’s death, police and prison authorities have admitted that he and the other accused in the Delhi rape case have been abused and threatened by other inmates of Tihar Prison, which is hardly surprising given their portrayal by the media, political leaders and prosecution as inhuman monsters. Singh’s father has claimed that his son was sodomized. Delhi police, for their part, have said that through a wiretap of a telephone conversation involving a Tihar inmate they learned in January of a plan to kill all the accused in the Delhi rape case.

Earlier this year when lawyers for the accused said that they had been tortured by prison guards, their complaints were tartly dismissed by prison authorities and, in so far as they were even mentioned, derided by the media. As a BBC report noted, a Tihar Prison spokesman responded by declaring that the safety of the five adult accused was “guaranteed.”

It likely will never be known how Ram Singh died. But even if were driven to suicide, there is no question that acts of omission and commission by Indian authorities led to his death.

Following Singh’s death, lawyers for the accused asked the court to order their removal from Tihar Prison, but this motion was denied. The remaining four adults stand charged with rape, murder, and kidnapping. The prosecution, with the strong backing of the government, has indicated that it will seek the death penalty for all four.



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