

EXTERNAL (for general distribution)

AI Index: ASA 20/18/94  
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UA 201/94 Unacknowledged detention / Fear of "disappearance" 25 May 1994

INDIA Sukhwinder Singh Bhatti, lawyer

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Sukhwinder Singh Bhatti has not been seen since he was abducted by armed men on 12 May 1994. There are fears that he is being held in unacknowledged police custody in Punjab, and that he is therefore at risk of torture and "disappearance".

It is reported that on 12 May Sukhwinder Singh Bhatti, son of Tara Singh, was travelling on a bus from Sangrur to his home village of Badbar. The bus was stopped by armed men in plain clothes reportedly travelling in a van without number plates. The men took Sukhwinder Singh Bhatti off the bus and drove him away in their van. Reports from Punjab suggest that the police are responsible for the abduction, because the unnumbered van was able to travel past two police posts without being stopped.

Local villagers and family members have been to the police in an attempt to establish Sukhwinder Singh Bhatti's whereabouts, but without success. Lawyers at the District Court of Sangrur have been on strike in protest at their colleague's "disappearance". A *habeas corpus* petition was heard at Chandigarh High Court on 23 May, the outcome of which is unknown.

Sukhwinder Singh Bhatti, a resident of Badbar village, Dhanola, Sangrur district, Punjab, was known to have defended young Sikh men reportedly held in Sangrur jail on political grounds.

#### BACKGROUND INFORMATION

Amnesty International regularly receives reports that alleged members or sympathizers of armed opposition groups, or their relatives, in Punjab have been killed in police custody, often after torture. Officials later wrongly attribute their deaths or "disappearances" to "encounters" between militants and the police, to "escapes" during such an "encounters" or to other improbable causes. Amnesty International has received reports of several lawyers being picked up and illegally held by police in the past.

Even though legal safeguards against unacknowledged detention exist in India's ordinary criminal law and procedural code, they are often not adhered to and prisoners are held in unacknowledged detention for weeks and sometimes months.

#### RECOMMENDED ACTION: Please send telegrams, faxes and airmail letters either in English or in your own language:

- expressing concern that Sukhwinder Singh Bhatti, a lawyer in Sangrur has not be seen since 12 May 1994, when he was taken away by armed men in plain clothes reportedly travelling in a van without number-plates, and that fears have been expressed that he may be in unacknowledged police detention;
- urging the government to immediately order an independent and impartial inquiry to establish his whereabouts;
- seeking assurances that if he is in police custody he be allowed immediate access to lawyers and relatives and be promptly brought before a magistrate;
- seeking assurances that he is not being ill-treated and that he be immediately released if he is not to be charged with a recognizably criminal offence.

**APPEALS TO**

Mr Beant Singh  
Chief Minister of Punjab  
Office of the Chief Minister  
Chandigarh  
Punjab, India

**Telegrams: Chief Minister of Punjab, Chandigarh, Punjab, India**

**Faxes: +91 172 540 647**

**Salutation: Dear Chief Minister**

K.P.S Gill  
Director General of Police  
Police Headquarters  
Chandigarh  
Punjab, India

**Telegrams: Director General Police, Chandigarh. Punjab, India**

**Salutation: Dear Director General of Police**

**COPIES OF YOUR APPEALS TO:**

Mr S.B. Chavan  
Minister of Home Affairs  
Ministry of Home Affairs  
North Block  
New Delhi 110 001, India

Mr Srinivasan  
Minister of External Affairs  
Ministry of External Affairs  
South Block  
New Delhi 110 001, India

and to diplomatic representatives of India accredited to your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 8 July 1994.