



# Police Torture

## Why in News

- Recently a businessman resident of Kanpur died due to torture inflicted by Gorakhpur police. This death has again made topics such as the use of [violence against people by the police](#) in India and **custodial death** a topic of discussion.

## Key Points

- According to the '**Status of Policing in India**' report released by the non-governmental organization '**Common Cause**', **3 out of every 5 police officers believe that the use of violence against criminals is justified**. According to another report, **between 2000 and 2018, more than 2000 human rights violation cases were registered against the police**.
- Factors responsible for violence by police-
  - Absence of laws against torture in India.
  - Non-action of policemen in case of violation of human rights.
  - Slow pace of [police reforms](#).
  - Low conviction rate.
- Provisions to prevent police torture-
  - In **DK Basu vs West Bengal**, the Supreme Court held that protection against torture is a [fundamental right](#) under **Article 21** of the **Right to Life**.
  - Under the **Code of Criminal Procedure**, logical grounds and rules for arrest and detention have been laid down in **Section 41A, 41B, 41C, 41D**.
  - Sections of the Indian Penal Code- 330, 331, 348
  - Indian Evidence Act Section- 25 and 26
- It is noteworthy that **despite India's signing of the 'United Nations 'Convention against Torture', it has not been ratified yet**.