

Dhaka, 11 August 2025

### **Press Release**

## **High Court Upholds Sentences of Two Police Officers and Orders Compensation to Victims in Torture and Custodial Death Case**

The High Court has delivered its verdict in the appeal concerning the torture and death of Ishtiaq Hossain Jonny (32) in custody at Pallabi Police Station in Dhaka in 2014. Filed under the Torture and Custodial Death (Prevention) Act, 2013, the case led to a landmark verdict at the Metropolitan Sessions Judge Court in 2020, convicting two police officers (Sub-Inspector Jahidur Rahman Jahid, Assistant Sub-Inspector Rashedul Hasan) and a police source (Rasel). All three of the convicted filed for appeal before the Hon'ble High Court Division. Subsequently, the High Court division bench formed by Honorable Justice S.M. Kuddus Zaman and Honorable Justice A.K.M. Robiul Hasan, upheld the life imprisonment sentence of Sub-Inspector Jahidur Rahman Jahid, reduced the life imprisonment sentence of Assistant Sub-Inspector Rashedul Hasan to ten years, and acquitted the other accused police source, Rasel, noting that he was not a police officer. The High Court upheld the fines and compensation orders, requiring each convicted officer to pay BDT 200,000 compensation to Jonny's family.

The victim Jonny's younger brother, Roky, expressed his relief at the High Court's verdict, while at the same time shared his concern about his family's safety on the acquittal of Russel; He stated: "After a long struggle, I got the historic verdict from the trial court in 2020. Despite many obstacles due to appeals filed by the accused, today I got this verdict from the High Court. I am satisfied that the life imprisonment sentence of Sub-Inspector Jahidur Rahman Jahid was upheld; at the same time, one police officer's sentence was reduced from life imprisonment to ten years, and the source Rasel was acquitted as he was not a police officer. In the future, I am worried about my security."

Jonny's mother, Khursida Begum, urged the state to provide security for her family and take responsibility for the care of her late son's children, she said, "I have lost one child. Since one accused has been acquitted in this verdict, I want security for my family. I want the state to take responsibility for the care of my deceased son's son and daughter."

On behalf of the victim's family, BLAST's appointed lawyer and legal advisor S.M. Rezaul Karim, commended the Attorney General's Office's role in securing justice, he stated: "We commend the impartial and cooperative participation of the Attorney General's Office to ensure justice for the family of Jonny, who was killed in police custody."

Deputy Attorney General Badiuzzaman Tapadar, conveyed his hope that the verdict will act as a deterrence towards abuse by the law enforcement, stating "Through this verdict, I expect members of law enforcement agencies to perform their duties responsibly and refrain from abusive behavior towards citizens."

Senior lawyer and BLAST's Honorary Executive Director Sara Hossain called for immediate compensation, protection for the family of Jonny, and urgent reforms to address the inconsistencies in the Torture and Custodial Death (Prevention) Act, 2013, she said, "It is necessary to take appropriate measures to ensure the security of the deceased Jonny's family and provide compensation promptly. At the same time, the government must urgently identify and take steps to amend inconsistencies in the Torture and Custodial Death (Prevention) Act, 2013."

BLAST expresses its gratitude towards all the lawyers and paralegals involved in this case, who have supported and stood with Jonny's family for over 11 years and fought for their legal remedies, especially Additional Attorney General Anik R. Haque, Deputy Attorney General Badiuzzaman Tapadar, lawyer S.M. Rezaul Karim, and BLAST's panel lawyer Abu Tayeb. BLAST also thanks Ain o Salish Kendra for their overall support in this legal fight.

The victim's brother Imtiaz Hossain Roki himself filed the case under sections 15(1)(2)(3)(4) of the Torture and Custodial Death (Prevention) Act, 2013, at the Metropolitan Sessions Judge Court, Dhaka, Metro Sessions case no. 6171/14. Subsequently, in the appeals filed by the accused, on 25 November 2020, BLAST filed an application in the High Court to add Roky as a party. On 29 November 2020, the High Court approved this party inclusion application.

The accused were represented by senior lawyers S.M. Shahjahan and Sarwar Ahmed, along with lawyers Md. Abdur Razzak and Nazmul Karim. The state was represented by Additional Attorney General Anik R. Haque and Deputy Attorney General Badiuzzaman Tapadar. The plaintiff's side was represented by lawyer S.M. Rezaul Karim and Banarupa Roy. In the trial court, BLAST's panel lawyer Abu Tayeb assisted the state on behalf of Roki.

### **Background:**

On 9 February 2014, around 2 AM, a wedding guest named Suman, while intoxicated, disturbed and harassed female guests at the wedding. When confronted by Jonny for his actions, Suman and his friend Rasel left and returned with police officers Jahid and Hasan, who detained Jonny and his brother Roky at Pallabi Police Station. While in custody, Jonny was severely tortured, resulting in his death. Jonny was a driver by profession and left behind his elderly mother, wife, 11-year-old son, 8-year-old daughter, and younger brother Roki.

### **Filing the Case:**

When the victim's mother Khursida Begum attempted to file a case at the police station, the police initially refused to register the case. Later, accused SI Shovon Kumar Saha filed a case at Pallabi Police Station, case no. 16 dated 9 February 2014, and filed the FIR against accused Officer-in-Charge Ziaur Rahman. The victim's brother Imtiaz Hossain Roky filed a case under sections 15(1)(2)(3)(4) of the Torture and Custodial Death (Prevention) Act, 2013, at Metropolitan Sessions Judge Court, Dhaka, case no. 6171/14.

### **Case Suspension:**

The accused ASI Rashedul Hasan and ASI Md. Kamruzzaman Mintoo filed a petition under section 561(a) of the Criminal Procedure Code in the High Court seeking cancellation of the legal proceedings as illegal. The High Court Division Bench issued a rule and granted stay of the trial for six months on case no. 13678/18 at Metropolitan Sessions Judge Court, Dhaka.

### **Stay Order Withdrawal:**

With BLAST's assistance, Roky applied to lift the stay order. On 27 February 2019, the High Court Bench of Justice M. Inayetur Rahim and Justice Md. Mostafizur Rahman ordered the trial to be concluded within six months and lifted the stay order. The full verdict was published on 9 May 2019, and forwarded to the lower court after four and a half months on 28 September 2019 after an application by BLAST to the Supreme Court administration to intervene and facilitate the matter.

### **Judgment:**

On 24 August 2020, after hearing 24 witnesses, the Metropolitan Sessions Judge Court concluded the trial. On 9 September 2020, Judge K.M. Imrul Kayes delivered the historic verdict under the Torture and Custodial Death (Prevention) Act, 2013. For the first time since the law's enactment seven years ago, the verdict convicted SI Jahidur Rahman, ASI Rashedul Hasan, and ASI Kamruzzaman Mintoo each under section 15(2) of the Act, sentencing each to life imprisonment, a fine of Tk. 100,000, and in default, six months more imprisonment, along with compensation of Tk. 200,000 each to the victim's family. Two police sources Suman and Russel were convicted under section 15(3) and

sentenced to seven years imprisonment each, fines of Tk. 20,000 each, and in default, three months more imprisonment.

**Appeal in High Court:**

The accused appealed before the High Court Division against the Metropolitan Sessions Judge Court verdict, and the High Court accepted the appeals and stayed the trial court's verdict. Out of the five convicted, one still remains at large.

Police Source Suman's Appeal:

On 12 January 2023, the accused police source Suman filed a bail application and appeal (criminal appeal no. 1999/2021) before the High Court. The court rejected the bail application and struck off the appeal for non-payment of the fine.

The accused Sub-Inspector Jahidur Rahman, Assistant Sub-Inspector Md. Rashedul Hasan, and police source Rasel filed multiple appeals (case numbers 7028/2020, 7498/2020, and 9222/2022 respectively) at the High Court, which were later heard together by the court. To ensure speedy justice, BLAST petitioned before the Honorable Chief Justice on 1 February 2023 to expedite proceedings. On 10 May 2023, the appeal cases were heard together by the same bench. After the hearing, the Honorable High Court rejected the bail applications of the accused and ordered them to pay the fines set by the lower court within one month and submit the required paperbook within two months. The accused complied with the Court's instructions, and the appeals proceeded jointly, resulting in today's verdict.

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