

Fatema Khatun was allegedly killed in demand of dowry

Fact Finding Report

Odhikar

Fatema Khatun Kajol (19) was the daughter of Mohammad Akram Shorder of Alipur Purbopara village of Sadar upazila of Satkhira district. On November 5, 2011, she married Mohammad Mominur Rahman Momin (26), the son of Harun Molla of Boikari village of Sadar upazila.

On February 27, 2012, Momin and his family assaulted and injured her for dowry money. At around 6 in the morning of February 28, 2012, they tried to kill her by pouring poison into her mouth. She died under treatment at around 8.30 in the night on the same day. Fatema's family alleged that she was killed due to dowry demand. Fatema's father, Akram Shorder filed a case as a plaintiff. The case is numbered: 66, dated: 28/2/12 under section 11(ka)/30 of the Nari O Shishu Nirjaton Domon Ain 2000 (Amendment 2003).¹

Odhikar conducted a fact finding mission into the matter. They interviewed:

- Relatives of the deceased, Fatema
- The accused and his family
- Eye-witnesses
- The doctor who conducted the post mortem and
- Members of law enforcement agencies



Photo- Fatema Khatun

¹ Section 11(ka) talks about the punishment of killing a person in demand of dowry and section 30 deals with the punishment of abetment for the same crime.

Mohammad Akram Shorder (50), Fatema's father

Mohammad Akram Shorder told Odhikar that on November 5, 2011, Momin and Fatema got married. Fatema had a 'dark' complexion and due to that reason, Momin's family demanded dowry, which included a steel almirah, a pair of gold ear rings and seventy two thousand taka. Akram Shorder was concerned for Fatema's future and on November 4, 2011, he gave Momin fifteen thousand taka. He also fulfilled the other demands, including the rest of the money within one month of the marriage. However, Momin and his younger sister named Mosammat Fatema Khatun used to physically assault his daughter. Fatema told him that Momin always carry a clasp-knife. Momin used to scare her with that and asked her to bring more money from her father. He also recalled that two *salish*² were held in Momin's house due to the abuse.

At around 7 in the morning of February 28, 2012, Azizul Islam, Momin's brother-in-law, called Akram Shorder and told him that Fatema had taken poison. He went to Momin's residence, where he learnt that Momin and Azizul had taken Fatema to the chamber of Abdullah Al Baki, a local doctor at Boikari bazar. He went to Boikari bazar and found Fatema in a very bad condition. Her head was bleeding. He said that Fatema tried to tell him that her in-laws were responsible. Her condition was so critical, the doctor suggested that she be taken to Satkhira. At around 10.45 in the morning, the three of them took Fatema to the Shotota Clinic, Satkhira. She was treated there till 7.30 in evening. After that she was transferred to the Shimul Clinic at the north side of Satkhira Judge Court. At around 8.30 in the night, Dr. Shohidul Islam declared her dead. Akram Shorder returned home with Fatema's body. He also informed his cousin Rouf Shorder, former Chairman of Alipur Union Parishad. Rouf Shorder informed the Satkhira District Police Station and the police came to his house. At around 10 in the night, police arrested Momin and Azizul and took the body of Fatema to the police station for post mortem. After that, Mr. Shorder went to Satkhira District Police Station and filed a case as a plaintiff against five people. On February 29, 2012, Fatema was buried at Alipur Purbopara village after the post mortem.

² Mediation

Enamul Huq (35), Fatema's cousin

Enamul Huq told Odhikar that on February 28, 2012, he came to know from Fatema's father that Fatema was ill and had been admitted to Shotota Clinic in Satkhira. Then he went to Shotota Clinic and found Fatema in a critical condition. He said that he saw she had injured her head. He also saw the doctors wash her stomach. He recalled that the doctors brought something white out from her mouth. He also said that her head was bleeding a lot while the washing process was taking place. He told Odhikar that it was only after the marriage that the family learnt Momin traded in illegal cattle. Momin used to demand dowry each time the supply of cows from India dwindled and he suffered loss.

Rouf Shorder, Fatema's uncle and former Chairman of No.7 Alipur Union Parishad, Satkhira

Rouf Shorder told Odhikar that Fatema's father informed him about her illness over phone. Then he went to Shotota Clinic and saw Fatema in a critical situation. He said that he informed Satkhira District Police Station.

Mominur Rahman Momin (26), Fatema's husband and the accused

Odhikar's fact finders went to Satkhira District Jail to talk to the accused, Momin. Mominur Rahman Momin told Odhikar that on February 26, 2012, there was a quarrel between Fatema and his mother. That is why he informed Fatema's parents. Fatema's parents came and wanted to take her with them forcefully. However, she refused to go with them. Then Fatema's father got angry and verbally abused her. As a result, she got upset and took poison on February 28, when nobody was at home. He claimed that he did not know when and how she took the poison. The fact finder asked him about the injury on her head. He said that a tile fell down from the roof and cut her head. He claimed that Fatema's parents are responsible for her death.

Nur Jahan(50), Fatema's mother-in-law

Nur Jahan told Odhikar that at the time of marriage, Fatema's father gave 30,000 taka in cash. He was also supposed to give a bicycle, a gold ring and a watch which he did not give. She said that she was not at home on February 28, 2012 when Fatema took the poison.

Mohammad Nurul Huda, Momin's relative and member of Boikari Union Parishad, Satkhira

Mohammad Nurul Huda told Odhikar that Momin never assaulted Fatema. Fatema committed suicide out of depression. He also said that on February 27, 2012, Momin and Fatema had a quarrel. Then Momin pushed Fatema and she fell on the stairs and injured her head.

Dr. Abdullah Al Baki, Village Doctor, Molla Clinic, Boikari Bazar, Satkhira

Dr. Abdullah Al Baki told Odhikar that at around 9 in the morning of February 28, 2012, two persons from Boikari Purbopara, called Momin and Azizul brought in a patient named Fatema. At first, he refused to give treatment and wanted to refer her elsewhere because of the critical injury to her head. However, he gave her first aid.

Dr. M.A Kabir, Shotota Clinic, Satkhira

Dr M.A Kabir told Odhikar that at around 10.45 in the morning on February 28, 2012, a patient named Fatema was brought to Shotota Clinic. He did not want to keep her there as her condition was very critical. But on the request of the former Chairman of No. 7 Alipur Union Parishad, Rouf Shorder, he kept her there till 7:30 in the evening. Later on, he heard that she was taken to Shimul Clinic and she died on the way there.

Sub Inspector (SI) Topon Kumar Shingho, Satkhira District Police Station, Satkhira

SI Topon Kumar Shingho told Odhikar that on February 28, 2012, the former Chairman of No. 7 Alipur Union Parishad, Rouf Shorder informed him that Akram's daughter from Boikari village was killed by her in-laws. Then he went to Fatema's father's house and prepared the inquest report. In the inquest report, he mentioned about the injury on head. At around 10 in the night, he arrested Momin and his brother-in-law Azizul from Fatema's father's house. Fatema's father filed a case. The case in numbered: 66, dated:28/02/12 under section 11(ka)/30 of the Nari O Shishu Nirjaton Domon Ain, 2000 (Amendment 2003). He was the investigating officer of the case.

On May 28, 2012, he informed Odhikar that he got the post mortem report, though the charge sheet had not been submitted to the Court. The investigation was going on.

Dr. Touhidur Rahman, the doctor who conducted the post mortem, Satkhira District Hospital, Satkhira

Dr. Touhidur Rahman told Odhikar that at around 10 in the morning of February 29, 2012, SI Topon Kumar Shingho of Satkhira Police Station brought in a body of a woman named Fatema. He informed that he conducted the post mortem, numbered post mortem no. 36. He said that he saw a wound which was two inch wide and one third of an inch deep on her head. The liver, kidney and stomach of the body of Fatema Khatun were sent to Mohakhali, Dhaka for viscera test. The doctor said that he could not say anything until he got the viscera report.

Ujjol, morgue assistant, Satkhira District Hospital, Satkhira

Ujjol told Odhikar that at around 10 in the morning on February 29, 2012, police brought a body of a woman named Fatema to the morgue. He saw a two inch long injury on her head.

Odhikar's statement

During the fact finding, Odhikar came to know that Fatema's father was illiterate and that is why a policeman wrote the F.I.R. for him. In the F.I.R, he mentioned that at around 6 in the evening of February 28, 2012, Fatema was given poison.

However, Fatema's relatives said that Fatema was poisoned in the morning of February 28, 2012. Even the accused Momin mentioned that the incidence took place in the morning.

According to section 154 of the Code of Criminal Procedure, an FIR must be read back to the informant and signed by him. It is doubtful that this was done, since the time of occurrence is wrong. This could jeopardise the investigation. Odhikar demands proper, lawful investigation into the case and the accused to be punished.