CHAPTER IX
GETTING OUT

This chapter attempts to identify factors which have helped or may aid the process of exiting from the world of crime. The findings have been drawn out from the life histories and interviews with key informants. The analysis is based on the narratives (life histories) which contain themes related to exit from the crime world like attempts to get out, plans after release and reasons for exit.

The data emerging from the narratives can be categorised into two – those who have views and opinions about the issue but have not yet made or been able to make serious attempts to get out of crime and those who have made attempts to get out of crime (successfully or otherwise). The researcher has accordingly divided the analysis of data into two sections: views on getting out and attempts to get out.

Views on getting out

One of the themes emerging from the analysis of the narratives is the relationship between the role of and the level of attachment with the family and life chances of a youth after release. Seven of the youth (Umesh, Parvez, Fazlu, Harish, Bittu, Farooq and Vijay) asserted or indicated that they would live with their families after their release. They felt a sense of attachment with at least one member of the family. They were grateful for the support that the family had given after their arrest, in terms of visits to the lock-up or prison, court visits, bringing home food during their visits, arranging for legal aid or bail and assurances that they would take them back into the family fold after their release. By and large, these efforts of the family seemed to have a positive impact on the psyche of the youth and they did not seem to be too worried about where they would go or what they would do after their release.

This finding corresponds with the Social Attachment theory propounded by Hirschi (1969), which linked offending behaviour to the level of commitment and attachment to belief in society. This theory focuses on the extent to which the relationship between the
individual and social institutions like the family may have an influence on constraining criminal behaviour.

Umesh says that he will go home after his release. His family was trying to get him out on bail. He gave an application to the judge for release on PR Bond, but the judge refused. He wanted the researcher to find out from his brother what efforts were being made to get him out.

The researcher got in touch with his brother and asked him about Umesh’s bail. His brother told the researcher that the family was trying to get him out on bail but they do not have the money required or a surety to get him out. The researcher volunteered to help with legal aid through one of his contacts in the court. Accordingly, it was fixed that he would meet his brother in court on Umesh’s next court date.

The researcher spoke to a lawyer he knew and reached the court at the appointed time but Umesh’s brother did not arrive. The researcher waited for him for two hours and called him several times on his mobile phone; his brother kept repeating that he would reach in ten minutes. Finally, the brother admitted that he was stuck at his work and would take at least another two hours to reach. He gave the mobile number of their mother. The researcher spoke to their mother but did not get proper response. He gave the brother and the mother the telephone number of the lawyer and left the court. On his next visit to the prison, the researcher informed Umesh about the developments. Umesh told him that his brother had sent a message through another prisoner that they would get him out in another fifteen days.

The researcher called up the brother a couple of times after this incident, but someone else picked up the phone and he did not come on the line. After a couple of months, the researcher came to know that Umesh was out on bail but his brother did not want to speak to him. The researcher decided against paying a home visit to meet Umesh after release due to lack of positive response from family.

Fazlu says that the prison environment is characterised by corruption and exploitation; negative peer influences and criminalization of minds. This can lead to developing
feelings of revenge against society and getting further into the world of crime. One needs extreme determination to counter these processes. Strong attachment to family helps in keeping oneself strong.

After release, Fazlu will abide by his father’s wishes (though he would prefer to stay in Mumbai) and go and reside with his aunt in the village. He is confident that he would find employment there based on his skills as an electrician and wireman.

The researcher put Fazlu in touch with a social worker from an organisation which works in the prison for any post-release help that he may need. Fazlu is satisfied with the lawyer provided by the free legal aid system. He is however, frustrated with the judge since his case is taking so long to get over. He has asked his father not to come to court on his dates as it is of no use.

I have told my father not to come to court. It is of no use. It is a waste of his money and unnecessary trouble for him.

Umesh and Fazlu’s cases highlight the issue of poor financial condition of the family negatively affecting legal aid provided to an under trial prisoner, which in turn leads to longer periods of imprisonment, compared to under trial prisoners arrested under similar charges but with better financial support available.

Harish is worried about his conviction. According to him, his conviction depends on the jabani (statement) of the complainant; he says he will ask for his forgiveness and request him to take back his complaint. After his release, he would go and live in his uncle’s house for a month. He plans to sell his house and move with family to a far off suburb; his aunt’s sister stays there and he has spoken to her about his plans. He wants to start a tea shop in the area to earn his livelihood. He would also learn wiring work from his brother-in-law. Harish feels that moving out of the area is necessary if one wants to avoid police harassment and be able to counter peer group influences.

The social stigma of being a criminal, someone who has gone to prison, makes it difficult to stay straight. People continue to see you with suspicion, even if you are trying to stay straight. The other hurdle is the police. They do not allow the person to go on the straight path. So it’s better to leave the area and settle down in an area where no one knows your background.
Harish feels that presence of a strong relationship is an important motivating factor for a person to exit from crime. His pull away from crime is his mother and his youngest sister; he loves them very much.

*Whom should I change for – is an important question that decides whether a person in crime will change his path. The motivation usually comes from some one close to the person – mother, sister, father, children, wife or even a girlfriend.*

Further, according to him, finding legal employment is another important factor. It should be a job which one is happy doing.

*I was happy with my sweeping job. It was good ‘time pass’ in the night and a solution to my ‘night life’ problems. The boys working with me were good, the mukadam and the manager were good to me. The main thing is job satisfaction – dil lagna chahiye (feel happy from the heart). Money is not the main thing for me. If I earn around Rs. 5000/- pm, it’s enough.*

Due to the range of issues one would have to handle in starting a new life, sometimes he feels a sense of hopelessness.

*What does the future hold for me? I don’t get a clear answer.*

Bittu’s family has been very supportive, especially his mother and grandmother. They visited him regularly when he was in police custody, came for *mulakats* in prison, and for arranged legal aid for him. He hopes to get discharged in the case. He will request his uncle to get him a job after his release. If his uncle refuses to help, he will find some other job. He feels that his name has been spoilt in the area. He will have to earn it back through hard work. He does not want to get into any more trouble.

Bittu is apprehensive of police harassment. He wants to sell the house and move to some far-off suburb. He does not want to go to his village, as he does not like it there. He wants to take care of his brother and mother, get married and settle down in life. He will marry someone from his village, as he feels he will not be able to find a girl from Mumbai, due to social stigma.
Bittu feels it is up to an individual to reform.

Prison is a place where one can either become a bigger criminal or get totally reformed; it depends on how you take this experience. You either make contacts in the criminal world or you use this time to reflect on your past life.

Farooq’s family is very supportive towards him. They have arranged for his legal aid. His brother is taking care of his car rental business. His father comes on his court dates. Farooq is repentant about his past and would do as his family says now. He feels that most people want to get out of crime but are unable due to factors such as negative effects of long-term imprisonment, police harassment after release and lack of employment opportunities. Family support is very crucial to counter these processes.

The issue to social stigma and/or police harassment due to arrest and imprisonment is a recurring theme from the analysis of the narratives of Fazlu, Harish, Bittu and Farooq. They suggest moving out of the area as the only way to counter these processes. Finding employment and having the support of the family are also important from the point of view of rehabilitation.

Parvez is very clear that he wants to get out of crime. He is sure his family will take him back and says that he would go back to the canteen where he worked earlier and try to get re-employed. He is confident that his previous employer will take him back. For someone like Parvez who is new to the world of crime and whose relationships at home and workplace more or less intact, getting out of crime may not be as difficult as he does not perceive social stigma or police harassment to be hurdles in his life after his release from prison.

Bhima hopes to get released on PR bond; he will wait for his trial to get over if his judge refuses to release him on PR Bond. He hopes to get acquitted in his case. In case he gets released on PR Bond, he will live in Mumbai for a couple of months and find work in some restaurant. He will then request for court dates at longer intervals (once every three months or more) and move to the place, where worked as a waiter in a restaurant for three years. He would request his ex-employer to take him back, and is hopeful that he will
take him back. If his ex-employer refuses, he plans to find work in some other restaurant. He is confident of finding work.

Bhima will not go home after his release since he anticipates facing social stigma. He plans to work for a couple of years and then go home after saving some money. He is worried about his mother and younger brother. He is also worried about his marriage. He wants to marry a girl who is educated, knows his background and willing to stay with his family; he cannot maintain two establishments due to cost considerations.

After I get released from prison, I cannot go back home, as my name has been spoilt. It was such a serious and sensational case – extortion threat of the local MLA. Poore gaon mey bawal ho gaya tha (there was a sensation created in the whole village). …My mother must be wondering how I got involved in such a case.

He plans to settle down in the village or in the nearby city. He is confident of settling down in the village and wiping out the stigma over time. He will convince his friends that he was framed. His past behaviour in the village was good. He feels that if his behaviour is good, people will forget and forgive.

Everyone gives one chance to an offender. But for repeaters, there is no support, no hope. Police arrest on suspicion happens in cities, not in villages. In a village, everyone knows one another and the police can keep a watch over people. They come to know who is doing what. In cities, the police have to act based on suspicions.

Bhima is not sure if people in prison, especially those who are involved, will get out of crime. He has seen them come and go, some of them three to five times in the last five months. He calls them the tadiparwale (externees).

Murli has not informed his family about his arrest as he feels they would get very upset. He says that his co-workers and his ex-boss did not provide any support to him after his arrest. He is very upset with his ex-boss.

He has backed out in my time of need. Akhir seth seth hota hai aur naukar naukar hi hota hai (at the end of the day, the boss is a boss and an employee is an employee)
After his release, he will go to the office of an MP he knows and have a bath there. He will then go to Mumbadevi temple. He will go to his ex-boss and take back the money saved and kept with him; send a portion of it home and keep the balance for his immediate expenses. He will stay with his friends, as he is confident that some of them will help him. He will find a job and settle down and is hopeful that things can be worked out. He has faith in God. He plans to get married as per his parents’ choice, but only after he settles down. He would like his future wife to serve his parents.

I think a lot about how I will resettle myself and my family. I have no plans of marriage now. Why put a girl through trouble when I am not yet settled? But I will go for an arranged marriage once I am settled. I will abide by my parents’ choice. She should serve them. Eventually I will go back to my village. I will make a lac or two; set up a small shop or buy a taxi and ferry passengers from the village to the city and back.

Murli feels that the main pull to get out from crime is family responsibility. Attachment to family helps in staying out of crime. One should not be after wealth but just enough to get a decent status in society. One should try to earn this through hard work.

Bhima and Murli’s cases bring out the fact that it is not easy for persons who have left home in search of employment early in life, to return to their native place or family, due to the actual and/or perceived expectations about them from their families. It becomes even more difficult for them if their journey has landed them into negative situations like imprisonment. It emerges that such youth feel the need to ‘wipe out’ the stigma of imprisonment first and redeem themselves before they can return to their families. Informal discussions with prison staff and the researcher’s previous experience indicate that many such persons remain in prison for long periods without family support simply because they feel they cannot inform their families about their arrest and imprisonment due to the shame and pain it would cause their families.

Vijay has moved out of the barrack where other members of his gang are housed. He has severed connections with his gang. His lawyer’s expenses were initially paid for by the gang but now his father is taking care of the expenses. He holds his father in high esteem and would like to follow in his footsteps.
Vijay feels it requires determination to get out from crime. Societal attitudes do not make it easy to get out. They may see it as cowardice and old enemies may try to take revenge. One has to either finish them or move out of the area completely. Police is another hindrance to getting out; they will either try to finish you in a fake encounter or turn you into an informer. The best option is to leave the city and start afresh, but one needs contacts and supports for this. One will have to be careful of one’s tongue and keep away from fights. One will have to take up a job and remain focused on family. Family support is very important.

Once I am out, I will stay with my family. I have not yet through about what work I will do. Maybe I will do the same work I did earlier, that of a driver. I am prepared to accept what’s in store for me as per my destiny.

Vijay is a great believer in Sai Baba. He derives moral strength to face life by praying to him. He is also undergoing psychiatric treatment, to deal with his anger outbursts and his insomnia.

I feel less angry now but I do not get sleep. The old incidents keep flashing in front of my eyes. I get tensed when I am in a crowd. I like to stay by myself. I read the Sai Satya Charita three times a day. Sometimes, I read the newspaper. I watch a lot of TV. I stay with people in prison in peace – sabse dosti (friendship with every one) – upar neech nahi dekhta hoon (I do not go by one’s social status, whether it is high or low). I pray to Sai Baba every morning. It gives me great strength.

Sometimes Vijay thinks that crime world is better than living the drudgery of an honest life. It offers a life of style and power, even though it may be short-lived. Vijay believes in destiny. He was a bright boy with a good reputation in the area. Destiny took him to a life of crime. Once he is released, he will leave it to destiny which way it takes him; he is open to both crime line and the honest path.

At the end of life, we will not be judged by how many diplomas we have received, how many great things we have done, how much money we have made, but we will be judged by a simple maxim – I was hungry and you gave me to eat, I was naked and you clothed me, I was homeless and you took me in.
One is not hungry for bread but hungry for love. One feels naked not only for want of clothing but want of human dignity and respect. One feels homeless not for want of a room of bricks but because of feeling of rejection.

The uncertainty of the future comes across clearly through Vijay’s narrative. He realises that he has traveled far too deep into the world of crime and it may be a tall order for him to get out. That he wants to get out is clear from the fact that he has physically moved out of the barrack in the prison where other members of his gang are housed and now depends on his family for his legal expenses. He too advocates moving out of the area as a solution to get out from the crime world.

However, the hard work and drudgery involved in living a ‘straight’ life hits him now and then. He admires his father greatly and is deeply appreciative of the supportive role of his family, perhaps his only anchor in an otherwise uncertain world in which he lives. The stress he is going through on account of his past is telling on him and he has turned to religion and God to deal with it. Vijay’s case highlights the travails of a person who has gone deep into crime and gives an insight into the effort that would be required for a person in his situation to get out from it.

Rocky is not sure about his future. He feels that one can get out of crime if one is determined, but for hurdles created by the police. The police make it difficult to get out; they either force criminals to remain in crime and share the profits or turn you into an informer. Once you become an informer, police takes care of your needs but there is threat to your life.

Asif feels that the chances of getting out of crime depend on number of years spent in crime world. More the number of years, more difficult it becomes as number of cases increase. He says that the police would not let such a person get out easily. They would try to force such people to become informers. Asif says that the life of an informer is fraught with danger to one’s life; gang members would kill the person once they come to know that he has turned into a police informer. Yet, most ex-gang members turn informers due to police pressure and the lure of money.
Asif is trying to get a good lawyer who can get him out on bail. He believes in taking one step at a time. He will think about his future after he is out of prison.

*Life is too complicated to plan everything.*

Uncertainty about the future and the fear of police harassment seem to hang heavy from the analysis of the narratives of Rocky and Asif. The idea of becoming a police informer is repulsive to them and yet at the same time, they realise that it may be a possibility in their lives. A sense of gloom and hopelessness seems to characterise their present situation. It is important to note that both of them do not want to return to their families as they feel that they have ‘lost face’ *vis a vis* their families. It emerges from the narratives of Vijay, Rocky and Asif that it will be very difficult for them to get out of crime in the absence of strong family support and an agency which could liaise with the police to ‘give them a chance’ to reform.

Overall, it emerges that the presence of strong family support and a sense of attachment with the family can help counter criminalising influences in prison and also provide necessary supports during and after imprisonment period. These include keeping in touch with the prisoners (through regular visits to the police station and prison and meetings on court dates), arranging for legal aid and bail, providing shelter and help with finding employment after release, and most importantly, providing an anchor and emotional support to the youth during and after the imprisonment period.

These supports are crucial to deal with possible police action against the person after release – calling to the police station for ‘enquiry’, visiting their homes at odd hours to check on their whereabouts, arresting them under ‘preventive’ sections during festivals or when there are law and order problems in the area, or simply arresting them under suspicion (due to their criminal record) whenever a new case is registered with the police station. These actions could demotivate a person trying to change his life. The support of the family at these times in terms of accompanying the person to the police station, standing by him during the enquiry, arranging legal aid in case of arrest, etc. can instill confidence in the person to deal with police action / perceived harassment.
The issue of police harassment due to one criminal record and inability to find employment or being eyed with suspicion by neighbours in the area emerges as hurdles to the process of getting out. These findings corroborate the Labelling theories propounded by Tannenbaum (1938) and Lemert (1951), which focus on the impact of labelling of an individual arrested for law violation by society and the criminal justice system process. This process leads to secondary deviance, whereby the individual takes to repeated law violations and assumes a deviant identity.

**Attempts to get out**

**Case one**

In a space of two years since he was first arrested in a case of attempt to murder, Ilyas was well and truly an active member of the crime world. As part of the gang he was part of, he had been involved and was arrested in five cases of attempt to murder and one case of extortion. He had been in and out of prison in connection with these cases and had been bailed out by the gang each time he was arrested. During this entire phase of his life, he had broken links with his family and refused to take any help from them, including refusing to meet his mother when she came to prison for a *mulakat*, as he was extremely angry with them for not having supported his efforts to marry his girlfriend.

Ilyas’s first offence was a result of his taking revenge against the person who had informed his girlfriend’s family about their elopement in time, which led to them being caught before they could leave the city. He came under the influence of a gang leader while in prison, who took care of his legal and other needs, and in no time, he had joined his gang, carrying out extortion threats and attacking people under his orders. His last offence in his home town was a case of attempt to murder of a local politician, who was one of the candidates of Lok Sabha elections. He had by now, many rivals and a marked man as far as the police were concerned. His father advised him to leave the city, if he wanted to get out of the mess he was in.

Ilyas left his town and came to Mumbai. Initially he lived in the house of a family friend for a couple of months. Later he took a place on rent. He had the money to take care of
his expenses, which was provided to him through his gang network. After about six months, he applied for a job he read in an advertisement in a local newspaper – an agency which supplied junior artists in the film industry. He cleared the interview, where he told his future employer about his army background but did not tell him the true reason why he had left the army nor about his subsequent life in crime.

Ilyas was selected to work in the agency as a Coordinator. He was asked to join acting classes, which he did. He handled all the work of the agency; being an office assistant, attending phone calls, interviewing candidates, getting film aspirants the membership of the junior artists’ association (a pre-requisite to work as a junior artist in a film), getting them to join acting classes, supplying junior artists to film producers, etc. He learnt the tricks of the trade and after about six months, he started operating on his own, meeting prospective candidates and film aspirants at restaurants, and doing his business with the help of a cell phone. Soon, he was earning anything between Rs. 15000/- to Rs. 70000/- p.m.

Ilyas was arrested once again, this time in a case of possession of stolen property – a mobile phone which he had purchased from someone, turned out to be a stolen one. He was released on bail after three days in custody by a friend, Rajiv. Gradually, his friendship led to them living together and Ilyas started working with him, helping in his business. Rajiv too had a criminal record - he was arrested in the past in a murder case and had spent two years in prison as an under trial before he was discharged in the case. Ilyas told him about his background.

Over time, we became good friends. ...We started staying together in his flat. I also joined his business. He did not pay me any salary but took care of all my expenses and wants. We had a good time – eating out, going to discos, going out together with our girl friends...

Ilyas lived with Rajiv and worked with him for three years. But differences cropped up between them over another friend whom Rajiv had given a loan and was not returning. Ilyas fought with this person and demanded that he return the money soon which Rajiv did not approve of. Soon Ilyas moved out of Rajiv’s house and started living with another friend, Mahesh (he was a ‘spot boy’ in the film industry) and his wife. Mahesh too had a
criminal record (cases of assault and kidnapping of a girl were registered against him) and Ilyas had helped him get bail and arranged legal aid for him.

Ilyas was jobless for two months, then worked as a salesman for seven months and then moved to Indore where he worked in a hotel as a cashier for nine months. He found these jobs through his friends and contacts made while he was a coordinator in the film agency. He went home for a week to see his sister (who he loved a lot) who was unwell. He could not stay there for long as the court had issued warrants against him for not attending court dates.

*I loved my sister a lot and it was because of her that I renewed contact with my family. I would speak to them on phone and my parents would often ask me to come back home.*

He came back to Mumbai and lived with Mahesh. After a couple of months, he signed a contract of running a discotheque, with the help of a loan from Mahesh. He now moved to his own rented place. Ilyas was arrested after nine months in a case of extortion, in which Mahesh and his friend Dinu (he was a police informer) were arrested, as one of the co-accused in the case. The police arrested Dinu first and then Mahesh (based on the high frequency of phone calls made between the two of them registered on their mobile phones), and finally Ilyas, as a co-accused in the case.

Ilyas spoke about a friend he had made in prison, who runs a hotel and is arrested in a case of assault. He hails from his home town. He was confident that this person would help him with his bail and also find a job for him. He feels betrayed by Mahesh as he has not come forward to help him after he went out on bail.

*He has not come to meet me after he went out on bail. I am not angry with him as I have taken shelter in his house and eaten food in his house (usne mujhe khana khilaya hai). But now I know who he really is.*

In case Ilyas does not get help to go out on bail, he would wait for his trial and feels that he will get discharged in the case due to lack of evidence against him. He does not know what he will do or where he will go after his release. He cannot go back home because of the cases pending against him. He plans to stay on in Mumbai after his release or go to
some other city, and make enough money to pay off the witnesses and hire a good lawyer to ‘manipulate’ his cases and get discharged in the cases against him in his home town.

The researcher put him in touch with a social worker from the organisation which works in the prison, who got in touch with his father and his brother. The researcher too spoke to his brother on the phone. After some days, Ilyas expressed a desire to go back to his family and on that condition, his father and his brother came to Mumbai and got him released on bail with the help of the lawyer provided by the social worker.

After his release from prison, Ilyas and his father were supposed to come and meet the social worker at their contact centre but they did not come. The family has gone back but Ilyas did not go with them. The researcher spoke to him once (after many unsuccessful attempts to call him) and he promised to meet him after going home once to meet his mother. The researcher later found out that Ilyas did not go home and is currently not traceable. His brother feels that Ilyas will not change his ways and asked the researcher not to waste his time on Ilyas.

The most striking feature that emerges from Ilyas’s attempts to get out of crime is the near absence of family connections and support in his life after his first arrest imprisonment, and his near complete dependence on his own contacts and friends, most of whom have a previous criminal record. Ilyas has a charming personality and seems to have excellent social skills, to get by in life, as far as his daily needs are concerned. He also comes across as a street-smart and quick-to-learn-the-ropes type of a person, in order to survive in life.

But it is this same quality about him that often brings him in contact with people who may have a dubious past themselves, and who are quick to realise that Ilyas could be a useful hand to have around in getting their work done. It is almost as if Ilyas walks into trouble, but somehow also knows how to wriggle out of it. His life seems to be characterised by a series of calculated risks that he takes and is willing to pay the consequences if things do not work to his advantage.
Ilyas also seems to know at the back of his mind that his family will stand by him in case he calls for their help, as it happened in most recent case of his family bailing him out from prison. Ilyas does not seem to feel a sense of accountability to anyone, continuing to hold his family guilty of not having supported him to marry his girlfriend, who he loved dearly. It appears that Ilyas’s journey of life in the mean streets will continue for some more time, till he gets tired of this life or till some life-changing event forces him to do a re-think.

Case two

Following his release from prison after his first arrest in a case of assault (as a result of a fight with some boys of the area where he lived with his parents), Jeevan kept in touch with the social worker he had met in the prison from the organisation which works on rehabilitation and visited their contact centre a few times. He would attend their client meetings on and off. He was rearrested within a year during the Mumbai riots in 1993 and was in prison for five years. Both his parents passed away during this period, due to ill health.

After he was released from prison the second time, he approached the organisation with a request that he wanted to learn driving and wanted financial help for doing a driving course. The aftercare worker of the organisation arranged financial support to undergo a driving course. Thereafter, he found work as an auto rickshaw driver, and gradually lost touch with them.

Jeevan says he met a girl in his area and got married to her. He made contacts with builders in the area and became a labour supplier and a site supervisor. He developed a relationship with a big builder and started working for him. In order to settle down and live a good life, he started betting and carom clubs in the area to make more money. He also became a driver with a local politician. He later became a body guard of a powerful politician in the area and worked under him for two years. In the meanwhile, his marriage life was getting into trouble; he would have many arguments and fights with her, finally ending in separation between them.
In his climb to power and success, he developed many rivals who were into similar activities. One day, they attacked him which proved almost fatal. He survived the attack and later took revenge on them by attacking them. His reputation in the area as a person with contacts with builders and politicians increased. He was moving towards becoming a small time builder himself. He remarried with another girl whom he had met some time ago. She was separated from her husband; they lived together for some months before they got married. They have a son through this relationship.

It was during this phase that he was arrested in a case of murder of a politician, which was linked to the work of a prominent gang operating in the city. He was arrested under MCOCA and is kept in the high security cell in prison. While in prison, Jeevan came to know that his wife had passed away due to HIV/AIDS. Jeevan fell very ill in prison, and initially tested HIV positive during a routine examinations. However, after a second test was done, the results proved negative.

After his release from prison, Jeevan does not want to live in Mumbai. His son lives with his deceased wife’s parents. He feels he has to take care of his son, his only source of emotional support left now. He will start a new life in Delhi, where he has a few contacts. He believes in destiny and wonders what the future beholds.

*Who would have thought that I would be in this state? It is destiny. After my release from prison in 1997, I had decided to get out of crime and get settled down. I worked hard to develop my status. I was completely rehabilitated. I had developed a name for myself in the area. I was on my way to become a builder. God knows what is in store for me now.*

This case again brings out the issue of weak family support after his first arrest. While still in his teens, Jeevan had lost both his parents (during his second stint in prison) and had no extended family support to speak of. His coming into contact with a social worker and a rehabilitation agency did play a positive role in helping him to decide to get out of crime, but this was a temporary influence in his life. His ability to flex his muscles and establish his dominance in the area and his ambition to make it big seems to have been spotted by the land sharks and politicians in his area, and they were quick to recruit him into their organisations. His power and influence in the area rose from strength to strength in no time.
However, the absence of a strong relationship in the family to hold him back or make him accountable to pro-social life, also created a vacuum in his personal life, which he tried to fill with his growing sense of self-importance earned through his involvement in illegal activities. The path he chose also created rivals in a ‘fight to finish’ approach to life. He had to take the support of powerful politicians and the underworld to protect him in this situation, and in return, obey their orders to carry out violent crimes. Ultimately, the law caught up with him and he now found himself being perceived by the criminal justice agencies as deeply entrenched in the world of crime and gangs.

Having lost complete touch with the rehabilitation agency and his personal relationships in a mess, Jeevan seems to be in a situation whereby it may be difficult for him to get out, unless, as he admits to the researcher, he decides to relocate himself in a new city and starts life afresh. This will depend on how strongly he feels for his child, who is being brought up by his deceased wife’s parents. This case also highlights the issue of how long a rehabilitation agency should maintain follow-up in a case, after having technically ‘rehabilitated’ the person.

**Case three**

Sharad was fourteen years old when he got into the company of a local gang which was into extortion-cum-protection racket of shopkeepers, illicit liquor den owners, betting clubs and small-time contractors in the area. After two years of living by himself in the area and life in the mean streets, he was finally arrested. He was charged with nineteen cases related to assault, attempt to murder and extortion and was in prison for five years. He met a social worker in the _baba room_, which works in the prison. He developed a bond with the social worker and requested him to get in touch with his father, to get him out on bail.

The social worker met his father a few times at his home and in their contact centre. They arranged a lawyer for him. As a result of these interactions, his father agreed to take Sharad back after his release. He also met Sharad in court a few times on his court dates. He however, refused to get him released on bail, as he felt that Sharad had to learn his ‘lesson’ of pursuing a life in crime.
After his release from prison, he lived with his aunt in Mumbai for six months. His parents had moved to Pune by then. His father took him to Pune to live with him in the initial days after his release, but Sharad came back to Mumbai within twenty days, as he did not like it there. He later (six months after his release) got married to a girl from the area where he was living with his aunt’s family.

My wife’s character was a bit loose. I accepted it anyway as I too was a laawaris (orphan). I got her a divorce from her first husband. (I had to use force against him to get him to agree. I attacked him and was arrested in a case u/s 326 IPC. My mother-in-law got me released on bail in three days.)

After his marriage, Sharad moved back to his parents’ house in Pune and lived there with his wife for about a year. He worked as a security guard and later as a helper in a factory in the nearby industrial area. He moved back to Mumbai, as he was fed up of his parents’ negative attitude and behaviour towards him. In Mumbai, they lived in his mother-in-law’s house. After a few months, he moved to another area in Mumbai with his wife, in a rented place which belonged to his friend. He soon got back to crime to earn a living - extortion of small businessmen, owners of betting clubs and liquor dens and call girls. He formed a small gang of boys to do this work. He was now peripherally involved with gangs by now.

I did small jobs for them after release, e.g., going to a party to get money, passing on messages etc. on commission basis.

After about six months, he was arrested by the police in a case of carrying a knife with him (section 37 of the Bombay Police Act) and was in prison for two months. His mother-in-law got him out on bail, and after his release, he and his wife moved back to live with his mother-in-law. He got in touch with the social worker to start life afresh.

I started a chai ka dhandha (tea stall business) with the NGO’s help in early 2000. In January 2000, my son was born. I was trying to turn over a new leaf.

However, he was again arrested, this time in a case of rape of his sister-in-law. It was an act of revenge for refusing to pay heed to his warnings to refrain from getting into physical relationships with men in the area. He also suspected her of getting into prostitution.
She was of loose morals and kept having affairs with various men in the area. She would also visit the red-light area in Prem Nagar. I had warned her against her behaviour several times, but she did not change. I caught her red-handed with a guy in the red-light area. I was furious and wanted to teach her a lesson. I also thought since she is so used to all this, there is no harm if I take advantage of it.

This time, his mother-in-law refused to bail him out and he was convicted in the offence. He served an imprisonment of six years. After his release from prison, he went back to his wife and begged for her forgiveness, and she relented. They moved again to Pune with his parents and he took up a job in the MIDC as a helper.

Four months after they had moved to Pune, Sharad had a fight with his wife; he suspected her of having an affair with a married man. He ‘knifed’ her face, leading to his arrest again under assault charges.

I came to know that my wife was having an affair with a man she had come in contact with when we were staying in Mahakali Caves. When I was in prison, she was living with him since 2003. ...His wife has left him. My mother tried convincing her to leave the man but she refused. She finally came back home before I was released from prison. While we were in Pune, she would come to Mumbai on the pretext of meeting her mother and meet him. When I came to know about this, I was furious and scarred her face with a knife.

He was in prison for eight months this time. His case ended in a discharge as his wife did not give testimony against him in court, a quid pro quo for agreeing to a divorce between them. After his release from prison, he went back to his parents in Pune.

During this phase, his wife called him up several times and they decided to make up. However, in no time, they were back to fights. His father was fed up of them and one night, he turned both of them out of the house. They spent the night at Pune railway station. They spoke a lot and took a decision to give their relationship a final try.

Sharad and his wife moved back to his mother-in-law’s place in Mumbai. He worked as a security guard, liftman, peon and helper in various jobs during this phase. He had now decided to give up crime. He met the Senior Inspector of the local police station and was able to convince him that his days in crime were over, and the officer promised to give him ‘one last chance’.
However, he was re-arrested in a pending case for not attending court dates. This time, his wife and mother-in-law backed him and arranged for his lawyer’s fees. Sharad was confident that he would get discharged in the case. He says that once this case is over, legal record would be clean.

After his release from prison (discharged in the case, as predicted by him), Sharad is living with wife and two children in his mother-in-law’s house. He is looking for a job. He says his life in crime is over, and keeps out of trouble. He got in touch with the social worker who had helped him earlier and requested him to find him some employment. The social worker asked him to come to their contact centre but he has not yet visited them as promised.

Sharad does not want wife to take up work as he is suspicious of her behaviour. His wife says she would like to work but Sharad does not allow her to. She wonders how long they can pull on like this, with no income and dependant on her mother’s income. The mother-in-law told the researcher that if Sharad gets into trouble with the law again, she will turn him out of the house and close the door to their relationship.

I have done a lot for Sharad. I bought a room for him in Pune with some help from his father. He sold it off. He was doing well in Pune, working in factories. He left due to a fight with his mother. She is a strange woman; she incites fights between the siblings. Later, Sharad was working in Worli Seaface as a watchman on and off. In spite of raping my daughter and attacking the other one (his wife), I got him out both times. I am tired now. I have done enough.

Sharad is nice at heart; he needs to control his temper. He has improved though, thinks about the welfare of his children now...

Sharad however, sounds rather optimistic that things will take a better turn in life now. He has been providing legal guidance to families of some of the prisoners he had met inside.

I was busy helping one or two people who are still in prison: arranging their family mulakat etc. I have spoken to my friends for a job. If nothing else works out, I will come to the NGO contact centre. All my lafdas (mischiefs) are over now.
This case highlights two things – inability of a family to impose social control on a youth who rebels and the youth getting pulled into criminal networks (due to the powerful influence of the area) despite the presence of a rehabilitation agency in his life. The case also highlights the issue of patriarchal values being condoned by the family as misdemeanours rather than as transgressions of human rights. Sharad’s constant movement from one place to another, his struggle to ‘settle down’ in an area and to an occupation, and his dominance in the marital power relationship emerge as the mainstay of this case.

It is possible that with the pass of time, exhaustion may catch up with him and he may finally lead a ‘normal’ life with his wife and children. Already, his decision to stay out of trouble and his approaching the local police to give him a chance to reform are signs that he may have realised that he cannot anymore withstand the pressures of living in the world of crime. The unstinted support of his mother-in-law, who he considers as a mother figure, may in the final analysis, tie him down and pull him out of a life of violence and crime. One may conclude that his wife and his mother-in-law may have saved him from an uncertain life with negative consequences. The sooner Sharad realises this, the faster will be his journey out of crime.

**Case four**

Joseph was an active member of gangs which committed robberies in shops, offices, jewellery showrooms and banks for a period of three years before he was arrested. He was charged with 16 cases relating to robbery and attempt to murder. He was in prison for two years and got discharged in all the cases.

After his release from prison, he went home for fifteen days and came back to Mumbai. He again got involved in offences of robbery which involved large sums of money. He shifted to a far off suburb and took a place on rent. It was here that he met his wife, who happened to be his neighbour. He told her about his background. She was very scared initially but gradually, their courtship ended in marriage.
I met my wife, Anjali – she was my neighbour; she was from U.P. and was working at a beauty parlour. I fell in love with her. Gradually we became friends and I told her all about myself. Initially, she got very scared on hearing about my criminal past. But I promised her that I would give up the crime line after one or two jobs. She came from a very poor family and gradually I convinced her to marry me.

After a year, Joseph and his wife shifted to Pune. He bought a bungalow and started three tyre repair shops. He also bought two cars and gave it out on rental basis to call centres. Life seemed to be going fine and he had broken all links with his earlier gang members. However, he was arrested by Mumbai Crime Branch in some cases of robbery which he was part before he moved to Pune. Initially, the police had picked up his wife along with him, to pressurise him to confess to his crimes. They finally let her go when he informed the court about her illegal detention. He told his wife to move back to her village and wait for him to come out. He has been in prison since the last five years under MCOCA in four cases of robbery and one case of kidnapping.

Joseph acknowledges the influence his wife has had on him.

*My wife has played a major role in my reformation. She stopped me from bad habits. She is responsible for my decision to give up crime.*

After release, Joseph says he will first find out about his wife. He plans to go to her village to find out if she has been loyal to him. He says that he will kill her if he finds out that she has betrayed him. He will not allow her to take away his ‘hard earned’ money. He has robbed people who have a lot of ‘black’ or illegal money, and so he has no regrets.

*I have not been in touch with my wife since the last 7 months. I told her to go and stay in her native place till I am in prison. I will check her out after my release. I will go unannounced to her village and see what she is up to. If she passes the test, I will become her life long partner. I have seen many a relationship break in prison. If my wife has taken over my property, I will kill her. It’s my hard earned money, accumulated after taking many risks in life.*

Joseph says that the government should provide legal aid to prisoners and financial support and employment to prisoners after their release. Social workers are needed for *baba room* inmates so that they get proper guidance.
This case highlights the effects of ‘prisonisation’ and the impact of social stigma due to arrest and imprisonment, on a youth who initially got into crime due to the ‘force’ of circumstances. After his first arrest in a case of extortion (he had threatened his employer with a knife to pay his dues), he was unable to find work as work and his neighbours viewed him with suspicion on account of his imprisonment. He coming into contact with acquaintances in prison led to his becoming a partner in their criminal careers.

The physical absence of a family or a pro-social influence in the life of a youth who has chosen to earn through crime emerges as a critical factor from this case. Staying away from home, his family neither had the knowledge about his livelihood source nor any influence on him to stop him from his career path. The role of a life-partner or someone one cares for enough to do a re-think about life also emerges through this case. This case shows brings out the need for an intimate relationship in the life of a youth as a motivating factor to get out of crime, as if to prove the seriousness and intent of the relationship to the partner.

**Case five**

Ramesh’s journey in crime began with his growing friendship with the leader of the gang, who ran an extortion-cum-protection racket in the vegetable market of the city. At his suggestion, Ramesh attacked a member of rival gang, and thus began his journey into organised crime, finally leading to him rising to the higher echelons of the hierarchy of the gang.

*Because of my rivalries, I came into a life of crime, but I also learnt a lot – about the criminal justice system, about prison life and system, about law...In the judicial section of the prison, duniya ka anubhav mila (got knowledge and experience about the world)...*

The turning point in Ramesh’s life, according to him, was falling in love with his future wife, whom he met while he lived in the tenements where he and other gang members lived.
She was his neighbour and she motivated him to think of getting out of crime. Their courtship lasted six years, when he was in and out of prison. Her father was opposed to their relationship, but her brothers supported them. Ramesh’s gang leader was not in favour of their affair as according to Ramesh, he was apprehensive that if he got married and settled down, it would mean the loss of an important member of the gang. Deepak was ready to get out of crime once he had made enough money to buy his own house and have a regular source of income.

We soon fell in love. People in the area called us a handsome couple. Her brothers were not opposed to our match but her father was. She wanted me to get out of crime, but I wanted to first ‘settle down’ – at least in terms of owning a house and a regular income.

Around the time that Ramesh met his wife, he started a vegetable vending business in the main market of the city (where he had originally started off as a hawker). He would buy leafy vegetables from the producers in other cities and sell it in the retail market in Mumbai. He ran this business with the help of a manager and the business continued through his life in crime and his periods on imprisonment. The money helped him to take care of his family expenses and repay the loans he had taken to start the business. While he would be in prison, his wife would regularly visit him, bring him food and keep reminding him of his promise to get out of crime. Ramesh gradually started withdrawing from getting involved in the activities of the gang and focussing more on his business.

After my release, I used to spend my time either at 144 Tenements or at Dadar market. I was already in love, and was scared of getting involved in criminal activities and getting rearrested. I was planning to get married.

After his release from prison the second time, Ramesh got secretly married to his girlfriend but they continued to stay separately as he did not have a separate place to stay and they did not want to buy a house with money earned through crime. Within six months of his marriage, he was re-arrested in a case under TADA and was in prison for three years this time as an under trial. This period very crucial for Ramesh, as his wife, through her regular visits to the prison and her continuous emotional support, firmed up his mind to get out of gang life.

I was into gang world – ready to kill and get killed. Destiny brought us together. She has stood by me through thick and thin. She has been loyal to me. She waited for me when I was in prison.
Ramesh does not think that his family had any role to play in his decision to give up crime. The only person in his family whom he respects a lot and acknowledges her influence is his maternal grandmother.

*I feel angry towards my parents, brother and sister. We have never been like a family; all living as separate individuals with hardly any emotional attachments for each other. One could say that my family has had no role to play in my rehabilitation. The only person I was emotionally very attached to was my maternal grandmother, with whom I stayed for many years at Mahim, who passed away in 2002. She was a very good human being. She used to ‘counsel’ us to get out of crime.*

It was during this period that Ramesh decided to approach an organisation he had come to know about which works with prisoners and released prisoners, with regard to his problems with the police. He feared for his life now and was apprehensive of being killed in a fake encounter by the police.

After his release from prison (discharged in the case under TADA and on bail in the other cases against him), he went with his wife to live in his village. It was while he was there that Police Sub-Inspector (PSI) Shirishkar came into his life; he ‘picked’ him up for ‘enquiry’ relating to a case if extortion. Ramesh feels that meeting PSI Shirishkar was the second turning point in his life. PSI Shirishkar brought him to Mumbai; arrested him in a case of extortion and released him on bail the next day.

*He gave me an opportunity to explain my intentions to get out of crime and the reason why I had moved to the village. He took me to the temple near the beach made me take an oath to give up crime. …He told me that the police had decided to give me ‘a chance’ in life.*

PSI Shirishkar put him in touch with the same organisation. He started attending their rehabilitation centre, learning to make cloth-bound files and folders that they used to teach released prisoners at their contact centre. Their social workers met his wife, other family members and the police and worked out a plan in consultation with the local police and the Crime Branch officials to monitor and supervise him. He maintained a daily diary in which he kept records of his daily movements. He also voluntarily started a practice of giving ‘daily attendance’ in the local police station, to avoid any suspicions about him.
I was very clear in my mind that I had build proof of my ‘new life’ and be able to present this before the police whenever called to the police station for ‘enquiry’.

After six months of attending the rehabilitation centre, Ramesh restarted his vegetable vending business at the same market where he earlier was an extortion agent for the gang and from where he operated his vegetable selling business. He had to face opposition from his erstwhile rivals initially, but gradually he was able to convince people in the area that he was here to stay and meant ‘business’.

Gradually, after an initial period of suspicion, skepticism, fear and watchfulness, people in the market came to terms with the fact that I was here to stay and were making a genuine effort to rebuild my life. I feel that the fact that I had a formidable reputation in the area, albeit negative, did help me in facing the opposition fair and square and move on in life.

Over a period of time, Ramesh was able to consolidate his business interests. He moved from retail to wholesale business of leafy vegetables. He got small loans from credit cooperative societies. He paid his loan repayments on time and further established his creditworthiness. One or twice, his rivals tried to malign his reputation by lodging false complaints against him, but he was able to clear his name with the police with the help of the proofs he maintained of his activities and the assistance of the social workers who stood by him every time the police called him for questioning or an ‘enquiry’.

I was determined to succeed and had the confidence in my capacities. Along with these personal assets, I built my credibility in the market through my hard work and toil. … From 1997 till date, there has been no police complaint lodged against me. I do not get into any lafda (mischief); so why should I get into any trouble with the police?

I have had to work very hard and remain very careful about my daily activities for five long years to reach this stage. I maintained a daily diary of my activities with exact timings, retained bus tickets and wrote down the bus numbers whenever I traveled from one place to another. If I went out of station e.g. when I went to my native place, I would inform the local police station at both places. I gave daily attendance at the local police station at Mahim for two years. I have a file of all the letters that I have submitted to the police and to the NGO over the years. Instead of the police keeping a watch over me, I gave them details of my whereabouts during these years in such great detail that they had no scope to eye me with suspicion.

Ramesh acknowledges the presence of another person in his life who he met while doing his business in the market. Jairam Seth is a local businessman who owns a dry fruit and
general store, a laundry and a shop in the vegetable market. Ramesh’s relationship with him began with supplying him fresh stock of his leafy vegetables everyday on retail basis for the shop that Jairam Seth owned in the market. Jairam Seth’s wife is a reiki therapist. They have had a profound and stabilizing influence in Ramesh’s life.

I respect Jairam Seth a lot. We are good friends now. I share my problems with him and he always gives me good advice. He knows about my background. He and the NGO are the two pillars of my life now. I like him because he never uses me. I have learnt a lot from him. He has taught me how to maintain social relations with people and also how to handle situations. He is a man of principles – honest and strict. Ekdum royal aadmi hai (he is a royal man). I go to his house once in a while. His wife is also very nice to me. When I am under a lot of stress and feeling alone, I speak to him (I do not trouble the NGO workers all the time!). He is my guide and advisor.

Ramesh has diversified into the real estate deals on commission basis. He is very careful of not getting involved in illegal deals. He uses his contacts to match prospective sellers and buyers of land and gets a commission out of it. He feels that his vegetable business is not enough to help him settle down. He has bought a flat in his native place with the help of a bank loan and is paying instalments regularly. He plans to settle there in future. He wants to buy land and do farming. He can continue his vegetable business with the help of his staff, who are well-trained now. He would like to start a balwadi for children in his village. He has no children; his only daughter was born mentally challenged and did not survive long.

My daughter passed away three years back (she was severely spastic). On her birthday, I go to a nearby adoption centre and feed children there. I like to do such things.

I have no intention to get rich. I want to lead a simple life. I have no plans to have children now. In today’s world, children anyway do not look after their parents. I would rather serve poor children – educate them at least till primary education level. I feel it is better than going to a temple. I also love dogs – I feed strays everyday around my work place.

This case clearly brings out the positive impact of the coming together of some important factors which could lead to a youth getting out of crime. First and foremost, the entry of a strong life-partner in the life of the person helps create a ‘turning point’ in the life of the person. This has to be backed by a strong will to get out of crime, clarity of purpose and the emotional maturity required to sustain the getting out process, which as this case
demonstrates, is a long winded one whereby one has to face many a hurdle and frustration.

The case reveals the positive role of the police in supporting efforts to get out of crime, maintaining a fine balance between the controlling and the supporting role. This case is an excellent demonstration of positive use of authority by the police and the impact it can have in ‘nudging and pushing’ a person in crime to get out.

The ability of the person to find an ‘acceptable’ livelihood option appropriate to his skills and previous work background emerges as a significant factor in the rehabilitation process. Further, it requires social skills, knowledge about the field and perseverance to make it sustainable. Having a reasonably successful work life for a male youth gives the person a positive self-image and helps counter social stigma and suspicions that society and police tend to harbour against such persons. Many police officers in the course of their interactions with the researcher (in his earlier role as a social worker) have repeatedly emphasised that for the police, stable employment is the most important indicator that an ex-offender may be out of crime and therefore out of their radar of suspicion.

The role of a rehabilitation agency in giving direction and liaising between the individual, the police and the family is clearly brought out through this case. The agency played the role of an ethical mediator between an ex-offender (under the zone of suspicion) and the police. They first approached the police showing intent and getting their ‘clearance’ to work with the individual. Gradually, they developed confidence in him through a process involving observation, supervision, counselling and guidance and then stood by him, every time the police called him for an ‘enquiry’. They cooperated with the police by giving information about his family and work life but did not try to ‘interfere’ with their investigation of enquiry process.

This process helped develop confidence in the police about the credibility and integrity of the agency, which in turn, helped build the credibility of the ex-offender in question. The agency also helped the individual with legal guidance and aid, family and individual counselling, playing the role of a ‘friendly’ but tough supervisor for a period of five
years. The client-social worker relationship within the agency setting had a stabilizing influence on the individual; someone who he could turn to every time there was a problem or crisis in his life.

An important indicator of rehabilitation emerges from this case – the entry of a pro-social influence in the life of the individual who is from outside his family, police or rehabilitation agency networks. As Ramesh admits to the researcher, he now depends on this ‘friend’ whom he respects a lot as a person of integrity and honesty, for guidance and support more often than on the rehabilitation agency to discuss issues relating to his life, someone who is an outsider-insider in his life.

Case six

Akash’s life in crime began when he got involved in ‘turf wars’ and group fights in the area of his residence. He would remain out of the home for long hours, spending time hanging out in the street corners and gambling in the nearby betting clubs, as his home environment was characterised by conflicts between his parents over his father’s alcohol problem. Soon he became friends with the local *dada* of the area, who was a member of one of the famous gangs in Mumbai. Gradually, Akash started working on behalf of the gang, carrying out extortion threat of builders and shop owners. He was eventually arrested in one such case and got identified as a member of the gang by the police.

Akash says that the unconditional support of his mother through his journey in crime finally made an impact on him and helped him decide to get out of the gang. The first break he made with crime was to stop taking the help of the gang for his legal expenses while in prison. From 2000 onwards, his mother supported him for his lawyer’s fees in all his cases. Whenever he was in prison, his mother would regularly come for *mulakats*, get food for him in court and counsel him to get out of this line. Akash wanted to get out too. But he faced opposition from the gang leader. He would send for him through his men and ask him to make threatening calls to designated persons towards extorting money from them. Refusal to make these calls would be met with threats to squeal on him to the police and get him arrested.
Most gang arrests were stage managed by Ashwin; it was all part of the wheeling dealing and ‘give and take’ policy that gang leaders have with the police. One of the tactics was to send a ‘wanted’ man to the house of the person whom he wanted to get arrested, so that it would come to the notice of the police and ‘force’ the person to leave his home. Once you leave home, you would be forced to come back to crime due to lack of options. In the absence of family protection, it is very difficult to survive without the support of the gang. This was a standard tactic used by the gang to force people to remain in the gang.

Around 2003, when Akash was in prison, he came to know about the organisation which works in the prison and approached their social worker for assistance to get out of crime. The social worker asked him to write a letter to them while he was still inside expressing his intention to get out of crime, which Akash did. After coming out on bail, he came to the organisation’s contact centre along with his sister, who was a great source of support to him then. But soon he was rearrested under MPDA\textsuperscript{36} and remained inside for one year. After his release, he approached the organisation again.

Akash has not been re-arrested or been involved in any case since then. He has been able to avoid police action against him with the help of the organisation. He has also received a lot of strength from his girlfriend and future wife (now separated). She is distantly related to him. She lives with her family in the same area where Akash lives in a rental space where working men share a room on a per-bed basis. He did not live with his family in the area he grew up after his decision to get out, as he is apprehensive of the local police ‘picking him up’ on suspicion.

I think police is the main hurdle in rehabilitation. They continuously harass the person – calling him to the police station, making him sit at the police station for hours at a stretch, harassing family members, taking preventive action against him, arresting on suspicion and registering false cases. These actions create doubts in the minds of the family members. Such doubts of the police and the family get reinforced through an occasional meeting with an old friend or gang member. The family’s response towards the person in such situations is one of fear rather than anger (shouting at the person and fights happen more in the pre-arrest stage). Therefore, it does not help the person in getting out; rather he may get emboldened in the absence of anyone in the family confronting him.

\textsuperscript{36} Preventive detention under the Maharashtra Prevention of Dangerous Activities Act
Akash has taken up a number of jobs in the last five years. He has worked as a security guard, loan recovery agent with a credit card company, has done marketing of products on commission basis (along with his girlfriend) and tried his hand at housekeeping work. The organisation which has worked towards his rehabilitation sent him to work as a trainee with a voluntary organisation in the Vidarbha region of Maharashtra, which does similar work. He worked there for nearly six months. He liked the work there. He finally got a job as an outreach worker in a voluntary organisations working on HIV/AIDS issue in Navi Mumbai. He worked with the organisation for more than a year; his contract with them got over in December 2009. He is now looking for another job. He is also trying to get a license to become a labour contractor, with the help of his childhood friend, who is now the PA to a powerful politician.

Akash got married to his girlfriend secretly about two years back. Her family was opposed to the relationship. She continued to live with her family after their marriage, as they are not economically stable to take a separate place on rent. It has not been a stable relationship between him and his wife after they got married. They are many cracks in the relationship.

My marriage is on the rocks. We have filed for divorce by mutual consent. Basically the constant and stiff opposition to our marriage by her family is finally showing results. My wife too has begun to feel that I am no good for her. Our problems increased especially since the time I lost my last job. Our fights increased since then.

Akash and his wife met the social worker a few times to find a solution to their problems. But it has not helped. Finally they decided to separate and filed for divorce in court. Akash however, wants to remain friends with her.

We are in regular touch – we speak on the phone, through sms and also meet sometimes. But we fight a lot each time we talk. I do not think it’s going to work. Much water has flown under the bridge.

After filing for divorce, Akash moved back to his family home. It is a one-room house where six adults and five children live, including his mother, his brother, cousins and their families. His mother and his sister-in-law fight a lot. There is palpable tension at home. He does not like it at home. He leaves home early and sits for an hour at the
railway station, reading newspapers, before he catches his train to work. He tries to remain as many hours away from home as possible. He likes his job and stays back late in the office.

There is a lot of tension at home. My mother and my sister-in-law get into fights... There does not seem to be any love in the house.

Akash liked his job as an outreach worker with the organisation working on AIDS awareness and prevention.

There is no tension at work. While I am at work, I forget all my tensions at home. No one knows my background here except my boss. There is no fear of police. The nature of my work is nice. ... I have come to know about many NGOs and CBOs working on HIV/AIDS issue. I have contacts in many hospitals in Navi Mumbai. My bosses are happy with my work. Most of my friends now are from the work world. After office hours, many of us sit in office till 7.30-8 pm – counselors, patients, staff and chat. Its nice!

Akash’s main tension is his court case. He is very unhappy with the lawyer provided by the organisation which supports him. The lawyer is very irregular in attending court dates and has to be to be reminded every time to come to court. His judge is annoyed with him due to the adjournments that have been necessitated due to the absence of his lawyer. He is worried about the outcome of his case. If he gets a conviction, all the hard work to put his life on track will be a waste.

Akash still gets messages from the gang to come and meet the leader. He avoids speaking to them. His family too does not take him seriously any more. He feels they are taking advantage of the fact that he is out of crime. Earlier they would be scared of him; now they know he will not retaliate. In the long run, he would like to take a separate place on rent and live on his own. His wife continues to be a source of support for him, even though they may have separated. They continue to be in regular touch.

This case emphasises the role of persons in the family close to a youth in getting out, initially his mother and sister and later his girlfriend-turned-wife. The unstinted support of his mother motivated Akash to think of getting out. His sister played an important role in connecting him with the rehabilitation agency after his release. His relationship with
his girlfriend after his release helped him to stay focused on his efforts to get out of crime. It also emerges that refusal to take the help of the gang with regard to legal expenses and other comforts in prison, is an important step towards getting out. This process can be further facilitated if the family or a pro-social agency comes forward to provide the required legal and other supports. PSI Shinde, a key informant and police officer attached to the Crime Branch of Mumbai Police emphasises the issue of strong family support in the rehabilitation process.

The case also highlights the hurdles that gang members may create in one’s efforts to get out, since it means the loss of an important member to the gang and the threat of leakage of information about the gang’s activities to the police. It is here that individual will and determination to get out assumes an importance, in overcoming the hurdles coming along the way.

The role of a rehabilitation agency and the stabilizing influence of a social worker in the life of the youth are revealed through the case. The rehabilitation agency, as in Ramesh’s case plays multiple roles – mediating between the ex-offender and the police, offering legal guidance and aid, guided supervision in the re-integration process, helping find suitable employment, individual counselling and marital counselling and sustained follow-up over a period of time. The role of a rehabilitation agency is highlighted by both PSI Shinde and Inspector (PI) Shirishkar (who is now promoted from a PSI to a PI and was a key informant to the researcher).

It also emerges that rehabilitation is a time-taking process, and the presence of strong influences to counter the frustrations and hurdles that come in the way of the getting out process are an effective guarantee to rehabilitation.

**Case seven**

Nilesh was in the tenth standard in school when he was arrested, in a case of robbery of motorcycles. He claims that he was framed in the case by the police as a co-accused; the main accused in the case was a doctor, whose clinic he would frequent and spend his free time. He used to deliver the lunch box prepared by his mother (to supplement the family
income) to the doctor everyday. He was in prison for two years as an under trial. His family rallied around him, after the initial shock due to his arrest. They arranged a lawyer for his bail. His sister ran around a lot to follow up his case in court. His father passed away (he was suffering from T.B.) while he was inside. After his release from prison (on bail), he found that his neighbours viewed him with fear and suspicion.

* I distinctly remember that when I returned to my house, people in the neighbourhood viewed me with fear and kept their distance. They thought I was a dada. My school friends avoided me now. I had already missed his SSC exam, since I was in prison during that entire period. At home, I was constantly reminded to keep out of trouble (pensive, almost teary eyed).

Nilesh had missed appearing for his SSC exams due his imprisonment. He decided to reappear for the SSC exams. With the help of his family’s contacts, he found a job as a peon in a bank. But after three months, one day, the bank manager called him to his office and told him that he had come to know about his criminal background and he could not keep him in the job any longer, even though he was satisfied with his work. Again, through his mother’s contacts, he got a job in a government hospital, but history repeated itself after six months.

A few months went by, and Nilesh was not able to find a job. He had lost all hope of trying to live a ‘decent life’. He was fed up of the taunts at home due to his unemployed status, and the trouble his family had to go through due to the frequent visits of the police asking about his whereabouts and what he was up to. He decided to leave home.

* ...I felt it was better to go back to a world where I felt a sense of belonging. Since then, I have been living a nomadic life, staying with friends, some old and some newly acquired, sometimes in different parts of the city and sometimes out of the city. It has been like this for five years now...*

Nilesh got in touch with a contact from his prison days, who had gang connections and asked him for work. Soon, he was into extortions and robberies and well into the world of crime. After around three years of this life, he was rearrested in a case of robbery. This time, his family did not come forward to support him. He got legal aid through the gang and came out on bail after two years in prison. The time spent in prison helped him to reflect on his life and he deiced to get out of crime.
While in prison, I took a decision that I no longer wanted to live this kind of life. What has this life given me? The money is no great. I have lost my family, the respect of my friends and near and dear ones. I have lost my girlfriend too. She is a nice girl. I have known her since we were both in school. She stood by me, in spite of my involvement in crime. But her family thinks I am a thug and a goonda. I decided to end the relationship and stopped meeting her. What future can I give her?

Nilesh took Rs. 2000/- from his gang members while coming out of prison for his immediate expenses. He took a local train and got down at the last stop. He spent the night at a lodge and stayed up the whole night thinking what he would do next. He then remembered an officer he had met once after his arrest and had also heard about in prison; he was known as an officer who helped criminals who wanted to get out of crime. The next day, he traced his telephone number from the Crime Branch control room number and called him up. The officer called him to his office. He went to meet the officer and was given an offer to work for him as an informer. Nilesh accepted the offer. He has confidence on this officer and feels he is his last hope in life.

I have great faith in this officer, and feel that he would ‘fit me’ somewhere and find me a job. Otherwise, there is no one in the world I trust. All friendships are transient and based on self-interest. I have no face to go back to my family and do not want to give them any further trouble.

Nilesh would like to work as a driver and take a place of his own on rent. Only then does he plan to get back in touch with his family. He wants to prove to them that he can turn over a new leaf. Otherwise he would prefer to die than continue this life.

I feel I am in a boat in the middle of a turbulent sea. I could drown or come out a winner. There is hope on one side and despair on the other. I cannot sleep for nights together and daytimes are equally full of uncertainty. I often drink heavily (usually with some friends – they come with you when you have money to pay) to drown my tensions and sorrows. As of now, I live for the day, not knowing what tomorrow holds for me.

The negative impact of social stigma following imprisonment and effects of ‘prisonisation’ pushing a youth into criminal networks emerges from this case as hurdles in the process of getting out. Despite strong family support, the criminal past of the youth seems to catch up at times as far as finding and sustaining employment is concerned. The sense of rejection and the consequent loss of self-esteem could demotivate a person making efforts to get out.
The case brings out that repeated imprisonment and criminal justice processing could sometimes ‘force’ a youth to reflect on his life, in terms of what one has gained and lost in remaining in a life of crime. Losing the support of one’s family and the respect and affection of near and near ones emerge as a significant factor which could help the youth decide in favour of getting out.

As in Ramesh’s case, the role of the police in steering the person out of a life of crime emerges through this case. However, a striking difference in the approach of the police between the two cases is whether in the process, the police show a vested interest in helping the person get out. In Ramesh’s case, the officer concerned gave him emotional support and a ‘chance’, like an unwritten promise to allow him to try and lead a ‘straight’ path. However, in Nilesh’s case, the police officer struck a deal with him – he would provide financial and emotional support and protect him from possible police action in future, on condition he becomes an informer.

PSI Shinde reiterates the role of the police in restraining offenders from re-offending by keeping a constant vigil on them and arresting them if necessary. PI Shirishkar adds that the role of the police has a very crucial bearing on the rehabilitation process. He says that police unfortunately more often than not, play a negative role by harassing persons with a criminal record, instead of using their authority positively and motivating ex-offenders to get out of crime.

The case highlights that living the life of an informer cannot be termed as being rehabilitated as it is an uncertain and dangerous life, which implies continuing to live ‘underground’ and unable to become an active member of family and social networks. Whether Nilesh would be able to reach that milestone would depend on him being able to get out of this line without getting killed (by gang members if they come to know about his activities) and find alternate employment options with or without the support of the police. Right now, he continues to live a tenuous and emotionally unsettling life.
Case eight

Nandu got pulled into criminal networks in his area in his teens, as a result of remaining out of the house for most part of the day and evenings, hanging out with his ‘friends’. He became a part of a local gang in the area, participating in their land grab and protection-money rackets. He was involved in many fights their gang would have with the rival gang which operated close to their area, over ‘turf wars’. He was arrested for the first time in 1988 in a case of murder of a rival gang member, along with the leader of his gang and two other members from the gang. Between 1988 and 1991, he was arrested four times in different cases relating to assault, attempt to murder and murder, all gang rivalry cases. He was in and out of prison; his legal expenses were borne by the gang and his father stood bail for him a couple of times.

From the time of his first arrest, Nandu had stopped sleeping at home due to fear of police harassment; he would come home only for his meals. His family’s response towards him was cold.

Father came to meet me in court or stood bail for me while I was in prison due to majboori (force of circumstances) and not love.

Nandu got married to his teenage love at the age of twenty-one. His wife knew his background but stood by him. The families too consented to the marriage. He now started living with his family at home. He also started keeping a distance with the ‘boys’ from the gang. Two years went by. One day, his gang members came and met him and asked him to be part of a planned assassination of a rival gang member. His role was limited to wait for a telephone call from the gang and inform the boys to proceed to the ‘spot’ where the murder had been planned. The operation was successfully carried out. After about two months all the youth involved in the case were arrested. This time he was in prison for around five months. He was released on bail by the gang.

During his period spent in prison, his wife kept in regular touch with him; she would come to meet him while he was in police and prison custody and also come on his court dates. She would get food for him whenever she came to meet him. She would counsel
him to leave the crime world. She also wrote to the gang leader to get Nandu out of prison.

One year after his marriage, his first daughter was born.

> My mind changed after my daughter was born. I now wanted to get out of crime, for her sake.

After his release, Nandu started a business from his savings – of giving small loans of Rs. 5000/- to 10000/- to local people in the area at an interest rate of 10%. He was now earning a monthly income of around rs.10000/- from this business. He had now completely disassociated himself from the activities of the gang.

However, the local police continued to harass him. One of the social workers from the area happened to work with the organisation which worked with released prisoners. He approached the social worker for help to get the police to give him one chance. However, the social worker laid down some conditions before him – he had to attend their rehabilitation centre for at least three months before they would go to the police on his behalf. Nandu felt he could not give up his business for three months and therefore did not take the offer. Finally, he approached the local MLA and with his help, approached the DCP of the Zone. The DCP spoke to the local police and gradually, they stopped harassing him – calling him to the police station, coming home at odd hours asking for him, making him sit in the police station for hours, etc.

Around eight months back, Nandu started a new business – supplying lunch and dinner boxes to doctors of a nearby hospital. He charges Rs.1500/- p.m. for two meals from each doctor and makes around Rs. 10000/- to 15000/- p.m. from this business. His wife cooks the meals and prepares the boxes and he does the delivery. It was his wife’s idea; it started with one or two customers and gradually picked up. He has now stopped the loan business.

Nandu has motivated the local people in his slum to opt for redevelopment of his area under the Slum Rehabilitation scheme. Fifty-five members have come together and formed a cooperative society and he is the chairman of the society. They have identified a
builder who will give each member flats of 269 sq. ft. carpet area. He feels a sense of satisfaction about this achievement.

All criminal cases of Nandu are now discharged in court. The local police no longer harass him. He has no connections with the gang any more. He feels settled in life now.

The entry of a life-partner, someone who gives unconditional support and emotional sustenance, despite knowing about the negative lifestyle of the youth, again emerges as a motivating factor in getting out through this case. The occurrence of a life-changing or a ‘turning point’ in the life of a person who has got sucked in the world of crime is demonstrated here through the birth of his daughter. The case highlights the need for a liaising or mediating agency to dialogue with the police to give the person a ‘chance’ to reform, whether in the form of a rehabilitation agency or a respected or powerful person from the area (the local MLA in this case).

Finding a livelihood option which matches the skill and aptitude of the person emerges as an important factor through the case. The switch from his earlier money-lending business (which may have landed him in trouble, if he had to use force against a defaulter at some point) to a more ‘acceptable’ and viable option of supplying meals to hospital staff in the area, has helped stabilize him socially and financially.

It emerges that finding the right employment option for an ex-offender has to be a fine balance between fulfillment of financial needs and doing ‘meaningful work’ which is socially rewarding i.e. which improves self-image and provides social recognition. The latter becomes particularly relevant in the context of the criminal background of the person; doing a job that helps counter past negative images about the person and in fact, shows him in a fresh and positive light is crucial to long-term rehabilitation.

Association with social work, doing some positive work for or in the community or becoming part of a rehabilitation agency adds to the social capital of the person. In this case, Nandu’s efforts to organise the people in his area and form a cooperative housing society has helped him to achieve this, which may have a long-lasting effect in redefining his image and status in the area. Unless the image of the person changes in the area of
residence (in case he decides to continue to stay in his original area of residence), merely becoming financially stable does not seem to be a sufficient indicator of being able to address issues arising out of social stigma and exclusion.

Summing up

The findings from this study about the getting out process, especially the factors which aid or hinder the process are well supported by Spergel’s (1990) study on youth gangs (see Chapter III: Review of Literature. If one were to summarise the above analysis and attempt to propose a coherent scenario of the network of factors at play, the steps involved and the hurdles that may come in the way of in getting out of crime, it would read as follows:

The trigger towards a journey of trying to get out of crime seems to be marked by the entry and presence of a person in the individual’s life, to whom he feels a strong sense of attachment and accountability. This could be a family member like a mother, a sister, a father, a grandmother or even a mother-in-law, or a life partner – girlfriend or wife. This can be termed as a turning point in life of the person. Sometimes it could be an event or an incident in the life of the person like the birth of a child or the death of a mother or a wife, or an ‘encounter’ with a police or prison officer or a social worker, or the period spent in prison.

These could be termed as ‘life changing’ events in the youth’s life. Whether it is a turning point or a life changing event, the point to be highlighted here is that it creates a deep impact on the psyche on the youth, and leads to reflection and a paradigm shift in the direction of life. The outcome of this process is usually a decision taken by him to get out of crime and make an attempt to start life afresh. Whether this decision becomes a long-term one or is short lived, depends on a number of other factors operating in the life of the youth.

The presence or absence of family support is another important factor. Strong family support may include giving emotional support, arranging for medical or legal aid, regular meetings in prison and the court, and bringing food from home on court dates or during
*mulakats* while the youth is in prison. After the release of the youth, it includes arranging for shelter either at home or with some relative outside the area or at the native place, taking care of basic needs, standing by the youth to counter social stigma, helping find employment and providing support to deal with the police. If there is some level of attachment between the youth and his family, the minimum that a family provides (in case they do not have the resources) is emotional support, coming for *mulakats*, and shelter and basic subsistence after release. The absence of any of these supports makes it very difficult for a youth to come out of crime.

Feelings of attachment with at least one member of the family lead to a sense of accountability in the youth and therefore the chances of a more responsible behaviour increase. Such relationships also fulfill the function of supervision of the youth and providing support through ups and downs being faced by him.

One of the alternatives in a scenario whereby family support is absent or weak is to move out of the area or the city and start life on a fresh note. But being able find shelter, subsistence, employment and pro-social relationships without any support in a new environment is easier said than done. One would require at least one strong relationship (a friend or a relative) or support of an agency (a voluntary organisation or the police), which may have to provide support in the initial stages and be able to sustain it for a period of time in making this journey.

The entry of a social worker or a rehabilitation agency in the life of the individual can be very helpful in one’s attempts to get out of crime. The role of this agency may encompass a range of issues and tasks, similar to or supportive to the role of the family. The social worker and/or the agency may need to provide a emotionally supportive and ‘meaningful’ relationship, arrange for services such as individual and family counselling, legal aid, liaison with prison and police officials, give information and guidance with regard to welfare services and citizenship rights, arrange for shelter, vocational training and job placement and supervise and maintain follow-up in the case.

An important issue that emerges here is how long the presence of the social worker or the rehabilitation agency is required in the life of the youth. It is however clear that
rehabilitation is a long-drawn out process and may take five years or beyond for a person to be ‘out of danger’ or being rearrested.

The role of the police has a crucial bearing on the chances of the youth being able to get out of crime successfully. The police actions could have a positive and/or negative impact on the youth concerned. These actions include making home visits at odd hours to ask about the whereabouts of the youth from family members, calling the youth to the police station for an ‘enquiry’ or an investigation, arresting the person under preventive sections of the law (due to the criminal record of the youth) e.g. section 151 of Bombay Police Act\(^\text{37}\) or section 110 of Cr.P.C.\(^\text{38}\), arresting the person on suspicion (due to past record) when any new offence is registered in the area, etc.

These actions of the police could sometimes include pushing/forcing the person to reveal information about other offenders or offences known to him, luring/forcing the person to become an ‘informer’. Some of the youth also fear getting killed in a false ‘encounter’ by the police.

The impact of the above mentioned police actions on the youth ranges from feelings of fear, anger, revenge, frustration and resignation. These feelings can sometimes ‘force’ the youth to leave the area, go underground, play ‘hide and seek’ with them, avoid contact and may lead to a decision to get out of crime, fed up of the ‘harassment’. It could also lead to an opposite effect of going further into crime, by seeking the protection of the criminal nexus, gangs, and local politicians who may exploit their vulnerability by asking them to work for them and carry out illegal activities. Sometimes, a person under pressure from the police may turn to a social worker or a rehabilitation agency to liaise on their behalf with the police.

\(^\text{37}\) Under section 151 of B.P. Act, a person may be kept in police custody for 24 hours as a preventive measure to keep peace in an area. Usually persons in the area who have previous cases registered against them are ‘picked’ up before festivals or visit of a VIP to the area and kept behind bars under this section, in order to prevent any untoward incidents from occurring.

\(^\text{38}\) Section 110 of Cr.P.C. is otherwise also known as Chapter proceedings whereby persons with a history of violent offences can be booked under this law for periods ranging up to two years. Once a case under this section is charged and proved, the person has to produce suitable sureties who guarantee their behaviour, pending which the person remains in prison till the said detention period is over.
This process could lead to a negotiated ‘arrangement’ between the individual, the social worker/agency and the police to chart a path out of crime, whereby the individual asks for a ‘chance’ from the police to reform, the social worker/agency agrees to advocate on his behalf to the police in return for a supervised relationship between them and police agrees to give the offender a ‘chance’ based on the assurances given by the social worker/agency and a warning that they will keep the person under ‘watch’ for a period of time.

The prolonged association of the youth with criminal networks and gangs and the consequences of this association can similarly have a positive or negative impact on the life of the youth, as far as getting out of crime is concerned. If the gang is assured that the youth will not reveal any information about the gang or their activities and if in the opinion of the gang, he is not a threat to their existence or their activities, they may allow him to get out.

There could be situations where the gang may see the exit of a member as a loss to their organisation and/or income source. In such situations, the gang may make every effort to retain the person in the gang using the ‘carrot and stick’ approach. They may lure him with the promise of better financial gains or higher position in the hierarchy, threaten him with injury or death, or give subtle messages that leaving the gang could lead to making them vulnerable to attacks from rival gangs or arrest or ‘encounter’ by the police.

Leaving the gang is always a risky decision for any youth, especially if he was a prominent member or an old hand in the gang. In such a situation, the youth has to take a calculated risk, based on other factors such as his will power and determination, family or other pro-social supports available, support offered by the police and/or a rehabilitation agency and ability to strike a deal with the gang.

Individual and personality factors such as a false sense of importance, a fragile ego, a need to dominate, lack of emotional maturity and low frustration tolerance can be serious hurdles to the process of rehabilitation. The road to rehabilitation is long drawn out. A person who can handle the uncertainties associated with the getting out process will fare better and has a higher chance of reaching the desired goal. Depression and return to past addictions such as alcohol, drugs or gambling are real dangers that face a youth trying to
come out of crime. One may also go through mood swings and violent outbursts. At these times, the presence of a strong and calming influence such a family member or a social worker who can listen with patience and provide guided inputs is essential for the journey to succeed.

Finding stable and ‘meaningful’ employment is an important indicator of rehabilitation. The job or occupation should be able to provide financial security and a socially relevant role for the youth. Social stigma cannot be wiped out by money alone; it is equally important to change one’s image in society. A job or an occupation which is ‘socially’ acceptable could prove helpful in this process. If the work involves rendering some kind of service to people, or use of some talent in the person, it would have a positive impact on self-image and in turn change the image amongst peers and neighbours.

Being productively employed and contributing to the family income is a good guarantee towards change in image as far as the police are concerned. Finding work in a hospital, working for social cause, doing business which is visible to people in the area are some examples of the type of work which can help the process of identity change.

Finally, finding supportive relationships outside the immediate family and in the lived environment of the youth and getting involved in social work are good indicators of rehabilitation of a youth. The former implies building supportive relationships with people who command respect in society but who are not associated with the immediate life of the youth e.g. a local businessman or a social worker who openly interacts with the youth and is generally seen to be supportive of the person. The latter could mean getting involved in civic issues such as housing, sanitation or water facilities or working for larger causes such as health care or education. It could also mean providing information and guidance to local people with citizenship rights such as getting ration card or caste certificate made, or helping with admission to a government hospital or a shelter home for women in distress.

True and long-term rehabilitation occurs when the image of the person changes from being a person who brought harm to family or the community to someone who brings value and/resources to them.