

IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

Court Reference: 2012 / 4188

FINDING INTO DEATH WITH INQUEST

Form 37 Rule 60(1)

Section 67 of the Coroners Act 2008

Inquest into the Death of: AVJIT SINGH

Delivered On: 30 October 2015

Delivered At: Coroners Court of Victoria
65 Kavanagh Street, Southbank

Hearing Dates: 24, 25 and 26 November 2014

Findings of: JUDGE IAN L. GRAY, STATE CORONER

Representation: MS C. HOLT and MS K. THOMAS appeared on
behalf of the Department of Immigration and
Border Protection

MR S. REID appeared on behalf of the Chief
Commissioner of Police and Police Members

MR M PAGE appeared on behalf of Mr Jasraj Singh-
Sidhu

Police Coronial Support Unit SERGEANT D. DIMSEY

I, JUDGE IAN L GRAY State Coroner, having investigated the death of Avjit SINGH

AND having held an inquest in relation to this death on 24, 25 and 26 November 2014
at MELBOURNE

find that the identity of the deceased was Avjit Singh

born on 9 August 1981

and the death occurred 4 October 2012

at The Alfred Hospital, Commercial Road, Prahran

from:

1 (a) COMPLICATIONS OF BURNS

in the following circumstances:

SUMMARY

Background

1. Avjit Singh (Mr Singh) was born in Amritsar, Punjab, India on 9 August 1981 to parents Gurmit Singh (father) and Dolly Dhingra (mother). Mr Singh had a younger sister, Amika.
2. At the age of 23, Dolly attempted suicide in front of Gurmit and Mr Singh, who was one and half years old, by setting fire to herself and causing permanent scarring to her stomach, shoulder and arm. Her injuries took more than 3 months to heal. This was discussed within the family and Mr Singh remembered this incident into his adulthood.
3. Mr Singh was considered a very good student and was thought of as intelligent. He attended college and attempted to complete a computer course before leaving in 2004 to become a manager at a Pizza Hut.
4. On 12 October 2005, Mr Singh immigrated to Australia on a student visa. His parents took out a student loan to pay for his travel and expenses in Australia.
5. In Australia, he completed a Hospitality and Management course in Brighton. He also worked doing door-to-door sales to supplement his income.
6. In 2007, Mr Singh started working in retail in Canberra, where he was a store manager for about three or four years. It was while in Canberra that Mr Singh became an Australian citizen.

7. Towards the end of 2010, Mr Singh moved back to Melbourne before returning to India in March 2011 to visit his parents. During this visit he discussed the possibility of marriage and as such his family started to tell relatives, who would then try to find a girl for an arranged marriage. In July 2011, while still in India, Mr Singh and his father met with Ravi, the uncle of Sargun Ragi (Ms Ragi). Gurmit was friends with Ravi and had known him for about 20 years. Ravi arranged for Mr Singh to meet Ms Ragi. Within one or two days, Ms Ragi and her grandmother, Kawal Ragi, travelled from New Delhi to Amritsar to meet Mr Singh and his family.
8. Usual Indian custom dictates that the families who are undertaking an arranged marriage will do their due diligence into the respective families. This usually takes more than 7 days, sometimes several weeks. On this occasion, as Gurmit had known Ravi for so many years, Mr Singh and Ms Ragi immediately got engaged to be married.
9. On 24 July 2011, Ms Ragi and Mr Singh were married in Amritsar in a traditional Sikh wedding. On 25 July 2011, they registered their marriage at the local court.
10. Ms Ragi then stayed with Mr Singh and his parents. In September 2011, Mr Singh travelled back to Australia alone. Ms Ragi, who had not yet been granted a spousal visa, remained with Mr Singh's parents.
11. At the start of 2012, Mr Singh travelled back to India and met with Ms Ragi. Her visa had been granted by that time, so they prepared to travel back to Australia together. On 24 May 2012, Ms Ragi and Mr Singh arrived in Melbourne.
12. They first stayed in Coburg for approximately one month, with a couple, Shivoy and Parul, and their daughter. With help from one of Mr Singh's friends, Jaspreet Mahwaha, they then moved to a property down the road in Coburg. Living in this house were three of Mr Singh's friends.
13. On 9 August 2012, Mr Singh and Ms Ragi moved into a rental property in Fawkner where they lived by themselves. Mr Singh drove taxis at night but Ms Ragi was not employed and stayed at home most days. The house was only fitted with basic necessities, including a mattress on the floor where they slept. There was no television, computer, fridge or landline telephone. Mr Singh was said to lock the doors when he left for work, taking the keys and Ms Ragi's mobile telephone. The windows were left unlocked and Ms Ragi climbed out of these if she needed to. On several occasions, Mr Singh allegedly threatened Ms Ragi with deportation if she did not have sex with him. Ms Ragi alleged that, on more than one

occasion, Mr Singh slapped her in the face and made her have sex with him. She said that he never physically forced her to perform sex but would use threats of divorce and deportation. She stated that she also had consensual sex with him on other occasions.

14. On Wednesday, 15 August 2012, Ms Ragi spoke with her neighbour, Mr Alfred Villettri. She explained to him how unhappy she was in her relationship to Mr Singh. She climbed out a window and stayed in his house where they discussed the relationship and how Mr Singh was mistreating her and had raped her. Mr Villettri called an Indian friend of his, who he believed to be a lawyer, Ms Hayat Dean-Thompson (Ms Dean-Thompson is a legal cost consultant). Ms Dean-Thompson agreed to help Ms Ragi and try to find her different accommodation, away from Mr Singh.
15. Mr Singh returned home in the early hours of 16 August 2012, and discovered that Ms Ragi was not in the house. He asked Mr Vellitri if he had seen Ms Ragi, but he told him that he helped her out the window and she walked off down the street. Mr Singh later attended the Fawkner Police Station and reported her missing. Police door-knocked the area and located Ms Ragi in Mr Velletri's house, where she had stayed that night. Ms Ragi then attended the Fawkner Police Station and made a statement in relation to the assault, rape and false imprisonment. Mr Singh was held under family violence powers.
16. As a result of Ms Ragi's allegations, Fawkner Criminal Investigations Unit commenced Operation Stallmen. Police searched Ms Ragi and Mr Singh's house and seized several exhibits. Ms Ragi was not examined by the Family Medical Officer (FMO) as she stated she had consensual sex with Mr Singh over several days.
17. Police obtained a complaint and warrant against Mr Singh and he was bailed to appear at Broadmeadows Magistrates' Court on 20 August 2012. His bail conditions excluded him from the Fawkner address and prohibited him from contacting Ms Ragi in any way. Mr Singh was then interviewed by Fawkner SOCIT¹ in relation to rape and false imprisonment. He maintained that the sexual intercourse was consensual and he made 'no comment' in relation to the locking of the only door. He was released pending summons.
18. Ms Dean-Thompson allowed Ms Ragi to stay at her mother's home in Balwyn for several weeks. Ms Dean-Thompson assisted Ms Ragi with court appearances, money, food and a

¹ Sexual Offences and Child Abuse Investigation Team

new mobile telephone. During this time, both Ms Ragi and Ms Dean-Thompson were present when Mr Singh phoned Ms Ragi and asked her to take him back.

19. On 20 August 2012, an Interim Intervention Order was made at Broadmeadows Magistrates' Court in favour of Ms Ragi and contained the standard terms. It prohibited all contact and specifically any attempt to 'locate, follow the protected person or keep her under surveillance', and 'get another person to do anything the respondent (Mr Singh) must not do under this order'. It was noted on the order that Mr Singh did not agree to the order being made, but was present at the time.
20. The matter was adjourned to 24 September 2012 for a Directions Hearing and the Interim Intervention Order was to remain in place until that time. At the hearing on 24 September 2012, a new order was produced in exactly the same terms but involved clarifying order number 6 prohibiting Mr Singh approaching or remaining within 5 metres of Ms Ragi. While the notations on the order provided that Mr Singh was present at the hearing and agreed to the order, a review of the transcript of the proceedings suggest that he did not agree to the order, and that it was not made "by consent". A Contested Hearing was set down for 4 December 2012.
21. Commencing on 20 August 2012, Ms Dean-Thompson and Ms Ragi contacted four different family violence welfare organisations. These were:
 - In Touch (Multi Cultural Centre against Family Violence);
 - Berry Street;
 - Women's Domestic Violence Crisis Service (WDVCS); and
 - Eastern Domestic Violence Service (EDVOS).
22. During most of these contacts, both Ms Ragi and Ms Dean-Thompson explained Ms Ragi's situation regarding the violence that had occurred in her relationship with Mr Singh. Ms Dean-Thompson had also stated that she was a lawyer and that she could take care of Ms Ragi. Berry Street offered Ms Ragi refuge, but she refused initially as she was living in Ms Dean-Thompson's care. Ms Ragi later requested refuge at Berry Street but was refused as her request was then too late and no longer met the criteria (as it was more than one month after the violence occurred). Accommodation was also offered to Ms Ragi in Ballarat, but she declined as it was too far away.

23. Mr Singh visited several doctors during his time in Australia. His main treatment was for lower back pain. On 23 August 2012, Mr Singh attended the Coburg Medical Centre stating he had marital problems. He was advised to see a psychologist for stress and anxiety. Police were advised that Mr Singh never made contact with a psychologist. Medicare records also confirm that Mr Singh never attended a psychologist's office.
24. Mr Singh told his parents that he was going to hire a private investigator to try to find Ms Ragi.
25. At about this time, Ms Ragi began seeing Mr Sanjeev Devgan, who she met while looking for work at a local supermarket. Ms Ragi did not tell Mr Devgan that she was married and did not mention previous marital problems.
26. Mr Singh somehow obtained Mr Devgan's telephone number and spoke with him. Mr Singh told Mr Devgan that he was Ms Ragi's ex-husband and to stay away from her as she was trouble. Mr Singh did not deter Mr Devgan, as he understood that they had separated. Mr Devgan ignored Mr Singh's advice by continuing to see Ms Ragi. Mr Devgan later asked Ms Ragi about her relationship with Mr Singh and she said that they were divorced.
27. On 28 September 2012, Ms Ragi moved to 80 Belford Road, Kew East. Ms Dean-Thompson's friend, Hamid Jafari, owned this house. Ms Ragi commenced living alone at the address but planned to have other people move in.
28. Approximately one to two days before the deaths of Ms Ragi and Mr Singh, Mr Singh spoke to his father on the telephone and told him that he had found Ms Ragi's address. He later said that he found out that Ms Ragi was seeing Mr Devgan.
29. At 7.00pm on 3 October 2012, Mr Singh collected his taxi from the owner, Mr Mukhdeep Singh, and commenced his shift, taking several fares that night.
30. At approximately 2.07am on 4 October 2012, Mr Singh went to Kmart in Cambellfield. There he purchased a snap knife (box cutter), a pair of gloves, a wrecking bar, a flexible gas lighter, a wood chisel, a riveter, bolt cutters, a four-piece knife set and a five litre fuel can. At approximately 2.43am, he went to the BP service station in Fairfield where he filled the can with petrol, purchased a quantity of rope and a roll of masking tape. At approximately 4.21am, Mr Singh got out of his taxi in Beresford Road, Kew East, one block from Ms Ragi's house.

31. At approximately 7.30am, the owner of the taxi, Mukhdeep attended the Boroondara Police Station to report that Mr Singh had parked the taxi in Beresford Street, Kew East (as was showing on the taxi's GPS tracker).
32. At some time prior to 8.00am, Mr Singh used the wrecking bar to force one of the front doors of Ms Ragi's house. After he gained entry, Mr Singh inflicted several injuries to Ms Ragi using one of the knives he bought. The attack was prolonged and occurred in several rooms of the house. Ms Ragi's throat was cut with a knife, causing a gaping wound. Mr Singh then poured petrol on Ms Ragi and lit her, most likely using the lighter he also bought. Ms Ragi was alive when she was on fire, but soon died from her burns.²
33. Mr Singh also set fire to the bed in the front bedroom. Subsequently, Mr Singh also caught fire himself. It is unclear if Mr Singh intended to commit suicide or accidentally caught fire. Testing of what remained of Mr Singh's clothing revealed no traces of accelerant.

Circumstances of the death

34. At approximately 8.00am on 4 October 2012, police from Boroondara Uniform, who were responding to Mukhdeep's report, noticed smoke billowing from the residential premises at 80 Belford Road, Kew East. Upon arrival, they were confronted with a house full of thick black smoke down to approximately 60cm from the floor. Over several minutes, police entered the house on numerous occasions but were forced out by thick black smoke each time.
35. Police could hear Mr Singh's voice in the front bedroom. They smashed the windows to the room where Mr Singh was trapped inside, but he was unable to move due to injuries. Police made several unsuccessful attempts to retrieve Mr Singh, needing to leave the house each time due to smoke inhalation and flames in the entrance to the hallway.
36. Police eventually pulled Mr Singh through a broken window of the bedroom as members of the Metropolitan Fire Brigade (MFB) and Ambulance Victoria arrived. Mr Singh had received extensive burns to his entire body and the only clothes remaining were those around his waist. He also received lacerations to the front of his body from being pulled over broken glass.

² Autopsy report dated 4 December 2012, Dr Michael Burke, Forensic Pathologist, Victorian Institute of Forensic Medicine.

37. At this point, the MFB informed police that they had located Ms Ragi, deceased, inside the hallway of the house. Police later observed injuries to Ms Ragi, apparently inflicted before the fire, as well as signs of an assault throughout the house.
38. Mr Singh was subsequently taken by ambulance to the Alfred Hospital where he was treated for smoke inhalation and full thickness burn to approximately 95% of his body. Mr Singh died at 12.25pm on 4 October 2012, in the Alfred Hospital.

POST MORTEM

39. On 5 October 2012, Dr Michael Burke from the Victorian Institute of Forensic Medicine (VIFM) performed an autopsy on Mr Singh. He commented that the cause of death was 'complications of burns'. He observed that Mr Singh had sustained burns to 95% of his body and that cuts to his stomach were consistent with police dragging him out a broken window. The toxicology report showed a carboxyhaemoglobin saturation of 13%.

FAMILY VIOLENCE

40. I have made separate findings into the death of Ms Sargun Ragi. Ms Ragi's death was included in the Court's Victorian Systemic Review of Family Violence Deaths (VSRFVD)³.
41. The findings into Ms Ragi's death deal in detail with her contact with police, the courts and agencies within the family violence sector as she sought to obtain protection from Mr Singh.
42. In that finding, I make comments and recommendations in respect of family violence system issues. There are no separate comments or recommendations in respect of the death of Mr Singh.

FINDINGS

43. I find that:
 - a. the identity of the deceased, as determined by scientific testing⁴, was Mr Avjit Singh, born on 9 August 1981;
 - b. Mr Singh died from complications of burns, on 4 October 2012 at The Alfred Hospital, Commercial Road, Prahran, in the circumstances described above.

³ The VSRFVD provides assistance to Victorian Coroners to examine the circumstances in which family violence deaths occur. In addition, the VSRFVD collects and analyses information on family violence-related deaths. Together this information assists with the identification of systemic prevention-focussed recommendations aimed at reducing the incidence of family violence in the Victorian community.

⁴ DNA the report of Maxwell Jones dated 10 July 2013.

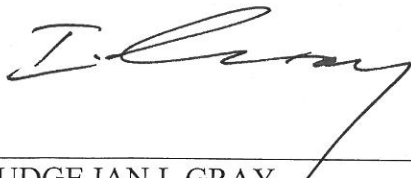
I convey my sincere condolences to Mr Singh's family.

I direct that a copy of this finding be provided to the following:

Gurmit Singh, Senior next of kin

DLSC Cameron Lunny, Coroner's investigator

Signature:



JUDGE IAN L GRAY
STATE CORONER

Date:

30/10/15.

