

The Investigation conducted in the BEST Bakery Case was patently manipulated as is evident by several factors:

### **Background of Other Public Prosecutors in Gujarat**

**Chetan Shah**, an Ahmedabad-based criminal lawyer, is an ardent Vishwa Hindu Parishad (VHP)

supporter. He has been appointed public prosecutor for the state for two major cases, the Gulberg Society massacre in which the former Congress Member of Parliament Shri Ahsan Jaffri was brutally massacred along with over 70 others (there were 10-12 gang rapes on girls and women before the killings).

### **History**

- Until September 2003, Shah was defending all the 35 accused in the Gulberg Housing Society
- massacre in which ex-Congress MP Ehsan Jafri and 38 others were killed. All the accused are out on bail.
- Shah has been on the Vishwa Hindu Parishad (VHP) panel of lawyers for over two decades.
- In 1986, Shah was named in an FIR in connection with burning alive seven Muslims
- He was acquitted in that case for “lack of evidence.”
- In June 2003, eye-witnesses from the Gulberg including Feroze Mohammed Gulzar Pathan who lost % family members in the massacre, case officially protested against his appointment because of his antecedents. An official protest letter to state Law Minister Ashok Bhatt, the Law Secretary and the principal judge, City Sessions Court was sent against his appointment.

The government of Gujarat simply did not respond nor did the Sessions Court take any steps or give any directions

It was only after the sharp directions by the Honorable Supreme Court in the BEST Bakery Case on September 12, 2002 that Firozmohammed Gulzarmohammed Pathan and another witness Sairabehn Salimbhai sandhi received a letter from the Registrar of the City Civil Court Ahmedabad, Mr

JH Champavat **dated september 16, 2003 stating that Shri VP Atre has been appointed instead**

**OTE: VP ATRE is the JUNIOR of Chetan Shah. What are the bonafides of the government of Gujarat?**

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### **Vadodara**

- Vadodara advocate Avadhoot Sumant had, in early August 2003, demanded that the Gujarat High Court initiate contempt proceedings against the NHRC for calling the Bakery case verdict “a miscarriage of justice”. Three days after his public declaration to this effect, Sumant was appointed assistant public prosecutor in the case.
- Vadodara’s assistant public prosecutor, Sanjay Bhatt/Vyas, is the nephew of VHP city unit president Ajay Joshi. Joshi, himself an advocate, was a defence counsel in the Best Bakery case.
- Some other assistant public prosecutors, like Dwarkesh Haribhakti and J P Bhatt(prosecutor in major carnage cases in the Panchmahals district including Limabadiya Chowky and Pandharwada village) are strong and open BJP supporters.

### **Vadodara: 603 FIRs filed**

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### **Ahmedabad**

Seven of the nine government-appointed public prosecutors are active workers of the Sangh Parivar.

While one happens to be secretary of the Scheduled Caste Cell of the BJP, another is a former

### **Ahmedabad: 942 FIRs, Major cases: 89 killed in Naroda, 39 in Gulbarg**

### **Banaskantha District**

President of the BJP and VHP in this district. Prashant Shah, (a BJP leader), heads the prosecutors’ panel in Banaskantha district.

### **Mehsana District**

Dilip Trivedi, who is the general secretary of the state VHP, heads the 12 member prosecutor’s panel in Mehsana district.

**Sardarpura** carnage in which 33 persons were burnt alive on Feb 28, 2002 and in which all 46 accused out on bail.(A day after they were released, some of them allegedly attacked a mosque; Matter yet to come to trial) **In another incident in the same town wherein** 11 persons were hacked to death in Dipda Darwaja area of Visnagar and trial is pending ( Of the 45 accused, 38 are out on bail) **Dilip trivedi was appointed Public Prosector in Both Cases.** He registered his “no objection” to bail being granted for the Sardarpura accused.

When the complainants filed an application in the Gujarat High Court objecting to Trivedi’s role,

Additional Public Prosecutor S J Dave said that the government would consider the appointment of a special public prosecutor but it could not give a commitment. Then, Trivedi was removed from the Dipda Darwaja case and replaced with **Rajendra Darji, another VHP lawyer.**

The request for a **special public prosecutor to oversee both the cases** has, however, **not been complied with.**

### **Panchmahals District**

This District saw one of the Worst Carnages

Panchmahals: 121 riot FIRs, trial on in 26 cases, three acquittals.

**Public Prosecutor is Piyush Gandhi, president of Panchmahals district VHP unit** and a member of the VHP's lawyers' panel.

### **Anand District**

Ode, Anand: 27 persons butchered and burnt alive and declared missing by police after an attack on the village.

Only three confirmed deaths registered in FIR, rest named missing.

Case pending trial.

**Public prosecutor P S Dhora's panel of public prosecutors** are handling riot cases in both Anand and Kheda districts. **Dhora is a known RSS sympathiser.**