

PEOPLE'S UNION FOR CIVIL LIBERTIES RAJASTHAN

Date : 29th September, 2018
Jaipur

Sh. O.P. Galhotra,
DG Rajasthan
Jaipur.

Sh. VK Singh,
IG Jaipur Range,
Jaipur.

SP Alwar
Alwar, Rajasthan

Subject:

- 1. Urgent lodging of the FIR and arrest of all accused in today morning's attack on all witnesses in the Pehlu khan murder case, near Nimrana in Alwar district.**
- 2. Providing security to the witnesses for a fair and impartial trial.**
- 3. Shifting of the trial outside Behror for the above objective.**

Dear Sir,

Today was the date of hearing in the Pehlu Khan murder case in the ADJ Behror court. All the witnesses along with a lawyer were on their way to Behror from Jaisinghpur, Nuh, Mewat, Haryana. Aarif and Irshad, sons of Pehlu Khan and Rafique and Azmat are primary witnesses to the lynching that happened on 1st April, 2017. Pehlu Khan, was seriously injured during the incident and later passed away on the 3rd. April, 2017 in a private hospital in Behror.

With the SC having given proper guidelines in its July 2018 order in the Tehseen Poonawalla case of setting up fast track courts, speeding up the trial and conducting day to day hearings. The SC also issued contempt notices to the Rajasthan Police for the murder of Rakbar Khans in Ramgarh Alwar. This urged the Courts and the police get their act together and finally the witnesses were called for their statements.

The details of today's i.e. 29 September 2018 are as follows -

The four witnesses and their lawyer left Jaisinghpur early morning and were on their way to Behror in a Bolero car numbered HR55 1310. While approaching Gyan Hotel near Neemrana, their vehicle was chased by unknown men in a black Scorpio without a number plate and their vehicle was fired at, after which the Scorpio turned towards Behror and disappeared. It was targeted as is clear from the Message sent by Lawyer Asad Haya which is as follows " आज पहलू केस में गवाहों के बयान शुरू होने थे। इसलिए मैं पहलू के पुत्रगण इरशाद , आरिफ और गवाह अज़मत व रफीक के साथ कार से बहरोड़ जा रहा था। कार अमजद चला रहा था। नीमराना क्रॉस करने के बाद अज्ञात लोगों द्वारा हमारी कार का पीछा शुरू कर दिया गया और ओवरटेक करते हुए कार को रोकने की कोशिश की गई और फायर भी किया गया। फायरिंग करते हुए गाड़ी बहरोड़ की तरफ चली गयी। काले रंग की स्कोर्पियो थी जिस पर नंबर प्लेट नहीं थी। इन हालात में हमने गाड़ी को वापस यूटर्न से वापस

लिया है और अब अलवर ज़िला अधिकारियों के पास जा रहे हैं। सभी सुरक्षित हैं। गवाही से रोकने के लिए ये कृत्य अपराधियों द्वारा किया गया है।

-असद हयात

On receiving this message on a Whatsapp group, I called up Azmat who has been regularly in touch with me. Azmat confirmed the incident and told me that they would only go to the court only if they got proper police protection. They were rushing to Alwar, which was 70 KMs away. Upon

I called up the SP immediately, who said that an FIR would be lodged and action would be taken. The IG Jaipur range too was Informed and has also responded positively.

It is our humble request that security be provided urgently and immediately to the witnesses. This police protection should be given from Haryana itself, right up to the Court and back. It is important that for a fair and Impartial trial the witnesses are not only given protection but are able to fearlessly speak out what they saw that day as part of their deposition to the court.

Secondly, it would be sensible to move the trial outside Behror to Jaipur, Alwar or even outside to Delhi as was done in some of the Gujarat 2002 cases, when the trial was shifted to Mumbai.

I hope you share our concern and would recommend the same to the Judicial authorities, i.e. for the trial to be moved out of Behror. The environment in Behror is averse to democratic practices, where not only lynchings occur but also no action is taken to stop them. Another such incident from 2017 was when Karwaan-e-Mohabbat led by Harsh Mander was passing through Behror. They were not allowed by the local police to even visit the place where Pehlu Khan was lynched, let alone hold a meeting in the city. As the supporters of the killers and so called Gaurakshaks had told the police that they would attack if such a meeting happened. To make matters worse, the Karwaan was attacked in Kotputli when they stopped for tea.

The constitution promises the right to free and fair trial to all the citizens, sadly these circumstances are far away from it. It is important that not only protection be given to the witnesses but also the trial be moved out of Behror to actualize the principle laid down by the law of the land..

Regards.

Kavita Srivastava,
President

Anant Bhatnagar,
General Secretary

Address: 76, Shanti Niketan Colony, Kisan Marg, Tonk Road, Jaipur-302015

E-mail: pucl.rajasthan@gmail.com,

Contact No. : 9351562965, 9887158183, 0141-2708917