

# **Probing the Jahangirpuri Communal Incident, Delhi, 2022:**

## ***Context, Aftermath, Police Investigation & Findings***

### **A PUDR Report**

**April 2023**

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## Preface

Jahangirpuri in northwest Delhi came into the headlines when an outbreak of communal violence took place in the course of a confrontation between some Hindus and Muslims during a Hanuman Jayanti procession on 16 April 2022. Two FIRs (nos. 440 and 441 of 2022, Jahangirpuri PS) were filed. The investigation in FIR 440 was transferred to Crime Branch, and several persons were arrested in the course of investigations under this. Less than a week after the incident, as the police investigation and early arrests started, the municipal authorities brought in bulldozers at Block C without due notice, allegedly to carry out long pending demolition of illegal construction at the site of the communal flare-up. Even as suspicions were raised about the timing and place of these demolitions in Jahangirpuri, nothing much came of it, while livelihood and shelter of several persons at the site of the incident were destroyed, and the demolitions negatively impacted upon the scope for a fair investigation, and evidence collection.

The main chargesheet in FIR 440 was presented on 14 July 2022. Although the matter died down in the media subsequently, despite the official account being challenged in court by defence lawyers, the police put forward their version, following ‘investigation’, which re-scripted the account of the communal clash, and presented it as a supposed ‘conspiracy’ by a group of Muslims, rather than as a clash between the two communities as it was reported at the time of occurrence. This notion which became the fulcrum of police intervention and action was based on alleged ‘linkage’ with the CAA NRC protests of 2020, derived from evidence that some people from Jahangirpuri had apparently participated in the protests on certain days. Following a pattern already seen in the city in recent years, the police, accepting the version of one side as correct, did not arrest or penalize any significant number of Hindus and went on to arrest mostly Muslims.

What kind of investigation was the police version constructed upon? What kind of evidence did they rely on to arrive at this version, which became the basis of the spate of arrests? Given their near monopoly of the police on collecting evidence at the time of occurrence and their control over what comprises evidence, biases and anomalies occurring in police investigation, collection and assessment of evidence etc. carry grave implications for democratic rights of citizens.

It is crucial therefore to examine the role of the state – in investigating the incident, identifying, arresting and prosecuting the guilty – in the months after the incident, to fully understand the truth of the communal clash at Jahangirpuri on 16 April 2022 and its aftermath.

PUDR investigated this communal clash both at the time of its occurrence, and in its aftermath. Our fact-finding team spoke to residents from diverse backgrounds in blocks C, G and H in Jahangirpuri, met and spoke to the police at Jahangirpuri Police Station, the Crime Branch, as well as lawyers and journalists in the course of its investigation. We read the FIR and discussed matters related to the main chargesheet (of FIR 440/22, Jahangirpuri PS) in detail with some of the lawyers of the accused. Following is the PUDR report on the making – and framing – of this communal incident.

## **I. What happened on 16 April 2022 in Jahangirpuri?**

By early evening on Saturday, 16 April 2022, media had begun to report an ongoing clash between Hindus and Muslims at Blocks C and H in Jahangirpuri. The incident happened during the third procession (*'shobha yatra'*) taken out in the area that day on the occasion of the festival Hanuman Jayanti by a section of Hindus which was not given permission to and was however accompanied by the police. Violent clashes broke out in front of the mosque on the main road in Block C (also the Muslim dominated Block) where the local Muslims were holding evening prayers for Ramzan. Our investigation and media reports at the time reported that both sides blamed each other for starting the violence and for planning the incident beforehand. Muslims from Block C told our team that the Hindus had been organizing the rally and distributed weapons before the incident and Hindus from Block G blamed the Muslims to have kept stones and glass bottles at their rooftops in preparation for the violence.

In the course of its fact finding investigation into the incident of 16 April 2022, the PUDR team was able to learn the following:

- There were three processions on 16 April 2022, and that violent clashes occurred during the third one. Eyewitnesses confirmed this to our team and this had also been what had been reported in the media. We learnt that first procession passed by the area between 1.00 pm to 1.30 pm or so, the second at around 3 pm and the third at around 5.30 pm.
- Different informants from different communities and economic backgrounds informed us that all the processions were carrying weapons – swords, knives, bats, batons etc., and even fire-arms. – playing loud music and shouting slogans aggressively and very loudly. Even the children in the procession carried knives and swords. According to all accounts, multiple Hanuman Jayanti processions had taken place in the area in earlier years to mark the day, but never provoked communal violence. What was starkly different in 2022, according to observers, was that the processions were much more aggressive – evident in the kind and volume of slogans, music (as mentioned) – and also openly armed. Several persons stated that the window panes of their houses, and utensils stored on kitchen shelves, were rattling and vibrating because of the loud music being played in the processions passing by in the narrow lanes. It is important to note that these armed Hanuman Jayanti processions took place in 2022 during the month of Ramzan, as Muslims in the area were fasting, and the last procession that day that passed in front of the mosque and became the occasion of the clash, coincided with the time of the evening prayer when many had gathered to pray.
- Observers like Rashid\* and Hamid\* (all names of informants have been changed to protect identities) – factory workers who live in the area – said that the first two processions were accompanied by larger numbers of policemen who were walking along with the processions. The third procession however was accompanied by a much smaller number of policemen walking at the back they stated. Some of our other informants also stated that the numbers of participants in the first two processions were higher (about 400-500) while the last one, had about 200-300 participants. According to an eyewitness Vijay\*, a mechanic, and an eyewitness, the third procession had many younger people, but no children or older men unlike the earlier two processions. Aashish\* a young, well-built man, who had participated in the first two processions, and belonged to one of the numerically strong North Indian Dalit communities in the area of Block G, stated that the third procession comprised a large number of members

from the Dalit Bengali Hindu communities that stay in the tenements located at one end of Block G. Several youth from the background as Aashish work at Azadpur mandi and appeared to be somewhat better off than the Bengali Hindus who are primarily involved in different kinds of waged labour and also, some amount of scrap collection, evident from the large piles of scrap kept around their houses. Our team met several men in saffron scarves who were playing cards in a cemented ground in Block G, on one of our visits to the area. They belonged of the same social background as Aashish, and like him, lived in some of the visibly better built 25 sq.ft. houses in Block G. They stated that they had participated in the two earlier Hanuman Jayanti processions on 16 April 2022, but had not joined the third one. They confirmed what other informants had also stated – that the Bengali Hindu Dalits of Block G had participated in and led the third procession.

- According to all the persons we spoke to (from varied religious, socio-economic and occupational backgrounds), it was the third procession that turned towards the mosque. A few persons also indicated that the two earlier processions had been prevented by the police from turning towards the mosque i.e., they too had intended to pass the mosque, but did not finally do so. Some informants stated that some Muslims had formed human chains near the mosque in Block C on the earlier two occasion to stop the procession from passing by there. However, they stated, that at the time of the third procession, they could not form a human chain as it coincided with the time of evening prayer. This is why the procession could pass on from Block G towards the mosque in Block C, they believed.
- While the first two processions also had bigger mechanised vehicles as '*raths*' the third procession had a simple wooden wheeled cart as '*rath*' on which an earthen statue of Hanuman had been mounted. According to eyewitnesses and observers in Block G the third *shobha yatra* started from this block, from near the cluster of tenements of Bengali Dalit Hindus. When our team visited the area 10 days after the communal incident the earthen statue of Hanuman that had been taken around in this procession stood in a corner of a Shiva temple in this area. There was also an open space near the temple where there was a permanent statue of the Goddess Durga and where we learnt that Durga puja took place every year. The *rath* which was used in this procession (during which the communal flare-up occurred) was also lying near the Shiva temple.
- As Sheela Devi\* an elderly woman who has been living in Jahangirpuri Block G told the PUDR team, people gathered right in front of her house and started walking that day. She said that the planning for the *shobha yatra* had been going on for at least a month prior to 16 April 2022, and found it curious that Bengali Dalit Hindus in Block G who did not worship Hanuman had participated actively and aggressively for a festival to honour Hanuman. She complained that they were clearly ignorant of basic practices involved in Hanuman worship and were guilty of “inauspicious acts”, as she had seen them repeatedly violating basic rules of worship (for instance, the women of the area would constantly be touching the idol, unaware that this considered taboo as Hanuman was supposed to be a celibate deity). Sheela Devi knows the area well and has been a house owner in Block G since the 1980s. She told us that the Shiva temple in Block G was relatively new, not more than 3 years old, while the Bengali Dalit Hindus in the block had lived there for about 15-20 years at most.
- It must be noted that a large number of the Muslims in Jahangirpuri, and especially Block C, are also [Bengalis from Medinipur district](#), and many among them have been engaged in scrap collection (*kabaadi* work), or other informal work. They are among the older migrants into the area, and as at earlier moments of communal tensions in the area, have been suspected and regarded as 'Bangladeshis' by the police and some local

Hindutva organisations, a tag they [tried to oppose](#), and repeatedly clarify about. The label comes from the ignorance of the police and others, who equate Bengali Muslims with Bangladeshis, informants told our team.

- The fact that the last Hanuman Jayanti procession which was the occasion of confrontation was result of prior planning and [mobilisation](#) was apparent in our investigation and in [visual](#) and print [media](#). Almost each house in the Bengali Dalit Hindu cluster in Block G, had the characteristic flag with an angry faced Hanuman flying atop it when we visited in the two weeks after the incident. A relatively new banner of ‘Bengali Hindu Samaj’ (written in Hindi, showing Ram, Sita and Hanuman, and Swami Vivekananda and Subhash Chandra Bose) hung near the Shiva temple in the Bengali Dalit cluster in Block G. Banners and posters announcing bike rallies etc. on the occasion of Hanuman Jayanti (noticeably those by the Antarashtriya Hindu Parishad, AHP) were hung across streets in the area. Informants sympathetic to the *shobha yatra* spoke about the mobilisation for it through WhatsApp messages etc. People also knocked on doors and shouted loudly to invite people for the procession. A media report exposed the mobilization done in the area by the local RSS Shakha which was apparently run by the Bengali Hindus who are arrested in the case. The reporting also highlighted how the participation in the rally for the so called ‘Hindutva cause’ [was taught at the Shakha](#) and young adults and children from Block G, felt a sense of pride in being part of the procession. Another report added that for Bengali Hindus in the area, primarily Dalits, it was participation in the rally, celebrating Hanuman Jayanti and clashing with the Muslims in the ‘Hindutva cause’ that gave them a pan-Hindu identity, which in a sense represented ‘a path to social mobility.’ Media also covered the fact that “many youngsters in Jahangirpuri consume [a steady diet of videos, memes, forwards](#)...that promote not just Hindu muscularity but a fear of Muslim virility,” and speak of a need to “save” the country “from a burgeoning population of Muslims.” The media report confirmed what our informants had already stated, that the 2022 Hanuman Jayanti in Jahangirpuri was the first time the Bengalis were celebrating Hanuman Jayanti. Our fact finding investigation and media reports, videos shown on reputed news channels, and eyewitnesses accounts all confirmed that participants in the *shobha yatras*, including the third one, wore saffron scarves, carried swords and sticks and guns – all of which had been arranged previously.
- To reiterate and summarise, therefore, the following facts emerged from our investigation:-
  - That the third procession was the only one which ‘deviated’ from the route of the other two processions, and went towards and possibly into, the mosque in Block C.
  - That the police had been able to control the earlier two larger processions and divert them off along a set route away from the mosque, but they were unable to control the third smaller procession which passed by at the time when the day’s evening prayer and breaking of the Ramzan fast was to take place and Muslims were gathering at the mosque.
  - That the third procession was not given prior permission by the police and therefore illegal and yet was accompanied by the police, that it was armed, and according to eye witnesses, were shouting aggressive slogans (including ‘*Jisko is desh mein rehna hoga, Jai Sri Ram kehna hoga*’ – He who wishes to live in this country, will have to say Jai Sri Ram).
  - That the last and the third procession, which became the occasion for the communal flare-up started from G block and included Bengali Hindus, who did not traditionally worship Hanuman, leading this kind of a separate armed

Hanuman Jayanti procession for the first time. Informants in Block G said that the main organisers of the procession were Suken and Suresh Sarkar who were also the main organisers of the RSS shakhas in the Block G area.

- That the RSS ‘shakha’ and various Hindu right wing organisations (including the Bajrang Dal, the Rashtriya Bajrang Dal (RBD) and the Antarashtriya Hindu Parishad (AHP) (formed [in 2018](#), led by extreme Hindu right leader Pravin Togadia) among others appear to have been actively mobilising communally in G block in a more targeted way, for several weeks before the procession. It must be recalled that these organisations come from [a tradition](#) of adopting the [modus operandi of distributing weapons and arming Hindus](#), and [violent anti-Muslim rhetoric](#). Above everything these organisations and their leaders appear to be consistent in their implication that ‘Hindus’ need to prepare for a violent confrontation.
- That the communal mobilisation involved emphasis on Hindus storing weapons, the images of angry gods, especially Hanuman, and hatred for Muslims including their neighbours and fellow Bengalis in Jahangirpuri. Characterisation of the Bengali Muslims as Bangladeshis and outsiders, and glorification of violence and aggression against them etc. Some information about this kind of [mobilisation by Hindutva groups towards violence](#), especially of [young people](#) in block G and elsewhere in Jahangirpuri by the ‘shakha’ and AHP etc. was covered in the press in the wake of the communal violence.
- That in the course of the police investigation the account of the flare-up changed substantially, and many Muslims and a few Hindus, were arrested. The strange coincidence of the incident of bulldozing by MCD immediately after the communal incident, focusing on the Muslim majority Block C area, had the effect of making all the Muslims more vulnerable – impacting families of those arrested and their financial ability to provide good legal support, apart from taking away livelihoods of many of the poorest in the area (See Annexure 1). The few Hindus arrested are migrant Bengalis from Block G. Most of those arrested are Muslim Bengalis from Block C and G many of them hail from West Bengal’s Medinipur district.

These aspects of the incident that emerged through our fact-finding investigation were also substantially corroborated by the [media at the time of the incident and the period immediately after](#). At around the time of the Jahangirpuri communal clash, it was also possible to identify a common pattern and modus operandi, that appeared to have been developed, and implemented in different places through the collusion of Hindu communalists and state forces – this involved aggressive Hindutva mobilisation for Hanuman Jayanti/ Ram Navami processions, with aggressive, violent slogans, which were followed by communal clashes, and subsequently, incidents of bulldozing and demolition of Muslim localities immediately after in the name of breaking encroachments. An identical incident had occurred in Khargone, M.P. for instance around 10-11 April 2022, around Ram Navami. It may be noted that M.P. is a state ruled by the same party as the one in power in the Centre, which is also in charge of Delhi Police) (See Annexure 1).

## **II. Aspects of police investigation and the official version of the incident**

### **II. (i) Basic facts**

As mentioned earlier, an FIR (no. 440/ 22 Jahangirpuri PS) was registered at 11.40 pm on 16 April 2022. It was based on a complaint by Inspector Rajiv Ranjan Singh. His statement,

written in Hindi, indicated that as the Hanuman Jayanti procession (which according to the FIR started in E block at 4.15 pm) reached the Jama Masjid at around 6 pm then a person Ansar came out with 4-5 persons and started argue with people in the procession. The quarrel grew and stone pelting started between the two groups. The police managed to make both sides understand and separated them, but they again resumed slogan shouting and stone pelting. The FIR went on to state that in order to control matters, senior officials repeatedly made appeals to the people to maintain peace, ‘one side’ kept on pelting stones continuously. The police went on to fire 40-50 tear gas shells on the crowd and sought to disperse the crowd. One police officer SI Medadal had a gunshot wound on his left hand and was referred to the BJRM hospital, Orthopaedics dept., and additionally 7 policemen and 1 member of the ‘public’ (who was a resident of the VHP (Vishwa Hindu Parishad) office, Jhande wali Devi Mandir) had simple injuries as the FIR recorded. Some vehicles were damaged. The FIR 440/22 (Jahangirpuri PS) was registered under S. 147, 148, 149, 186, 353, 332, 307, 323, 436, 427, IPC and S. 27 of the Arms Act. Some other sections were added selectively to some of the accused following investigation. These were S. 333, 109, 120-B/34, 109, & S. 25 of Arms act. The way in which events were recorded in the FIR varied from the versions of the incident the PUDR team heard during its investigation, and the media reports and visual records of the processions and the incident.

It is important to note that another FIR (441/22) was filed on 17 April 2022, at the PS pertaining to the incident. This registered a complaint against Prem Sharma and Brahm Prakash, local leaders of the VHP and Bajrang Dal who had apparently applied to the PS for permission on 15 April to take out a procession for Hanuman Jayanti, 16 April, 2022. Our investigation revealed however they proceeded to gather people on 16 April and took out a procession without permission in a situation where there was a possibility of a clash between two communities. The FIR was registered under S. 188 IPC. (See Annexure 5 for details of Sections of law used in the FIR).

This unsanctioned procession then became the occasion for the clash registered under FIR 440. And a VHP leader who has been named as accused in in FIR 441, has not only not been prosecuted against but went on to become a key witness against those accused in FIR 440 in the police investigation, also giving testimony under S.161 in this regard.

Investigations into FIR 440 were, transferred to Northern Range II of Crime Branch by 20 April 2022. The police started arresting suspects from 17 April 2022 and continued over the next month and half at least. A number of people were arrested by the police in FIR 440, within the first two weeks or so of the incident. By 28 June 2022 at least 37 persons had been arrested and many were questioned and presumably evidence gathered in the course of investigation. The chargesheet presented on 14 July 2022 framed charges against 37 arrested persons. Out of them 31 were Muslims and 6 were Hindus. (See Annexure 2 for reference and list of accused in chargesheet). Eight persons, all Muslim, were declared absconding at the time of presentation of chargesheet. [Media reports](#) confirm that the police and [courts](#) have been [proceeding against them](#) in the months since the incident, and [arrests have been continuing](#) till recently. Eventually all but one absconding accused were arrested.

Out of a list of witnesses comprising 164 names who were examined by the police, 90 were police personnel, one a member of the court, and a few others who were technical experts (doctors, mobile phone providers etc.). Of the remaining 60 ‘Public’ witnesses, 23 persons were listed and examined as ‘witnesses to the incident.’ All of them were Hindus. In the total list of witnesses 12 Muslims were examined, 10 of them for technical reasons (i.e., for verification of mobile numbers of accused as they were family members/associates in whose

names the phones were registered), while the 2 other Muslims were PCR callers, examined among an overwhelming majority of Hindu callers.

The inclination and nature of police investigation is evident from the above. In a communal conflict evidently involving two groups, such imbalance – in noting the facts in the FIR as well as in collection of evidence from one side – amounts to a clear bias. A closer look at the way in which the official version came to be moulded will reveal the endeavour of the state agencies.

## **II. (ii) Revising the account of the incident: From ‘both sides’ participating in the communal violence to a conspiracy by one**

As mentioned previously, there seems to be a consistent effort on the part of the police to revise the entire account of the incident, so that it was completely different from what was reported at the time of occurrence, in various media reports, in our investigation, and even in the FIR. The attempts to do this are particularly focused on diluting, reducing and deleting references to the widely reported view that both Hindus and Muslims were involved in the slogan shouting and violence at Jahangirpuri on 16 April 2022. This is subtle and in some cases very explicit, as for instance with the revision of Inspector Rajiv Ranjan’s statement which was the basis of the FIR (440/22 – See Annexure 3 for a copy of this FIR). While in the FIR filed by late night on 16/4/22 he stated that both Hindus and Muslims had participated in the violence, he later changed it some hours later, through a Supplementary Statement filed the next day in which he removed the reference to ‘both sides’ participating.

### ***(a) Divergent fates: An illegal procession, an unlawful assembly***

In recounting the background of the case the chargesheet seems to have dismissed the illegality of the Hanuman Jayanti procession (the third procession on 16.4.22) and normalised the fact that the police were accompanying the procession that had not got official permission. It merely indicated that the Hanuman Jayanti procession was to pass through the area of Jahangirpuri on 16 April 2022, as per past practice. The office bearers of the VHP had communicated this to the SHO of Jahangirpuri PS but they were not granted permission. The organisers took out the procession (despite the lack of permission) and the police accompanied them to maintain law and order, or so they stated.

Even though an FIR was filed (441/22 – See Annexure 4 for copy of this FIR) against those who took out the procession, no progress has been made towards investigating or prosecuting that apparently. The fact that the police filed this FIR under Section 188 IPC itself shows their bias in favour of the accused (local VHP leaders as mentioned) and their clear intention to not pursue the FIR prosecute those named. This is an extremely mild provision compared to the kinds of provisions in FIR 440. Given the gravity of the violation, and the fact that the procession and its aggression became the occasion for the incident, other more stringent sections could have been applied. Additionally the police could not have been unaware of a line of judgments which say that an FIR under this provision cannot be registered (*C Muniyappan v State of Tamil Nadu* (2010) 9 SCC 567, para 28-33 and *Jeevanandham v State of Madras*, Crl OP 1356/2018, para 25). A complaint has to be filed before the concerned magistrate under S. 195 CrPC before proceeding against those named in the FIR. Despite repeated attempts to meet or talk to the IO, or through RTI, we have been unable to track the fate of this FIR (441/22). Given the nature of state intervention – and non-intervention – into the Jahangirpuri incident of communal violence, this silence/avoidance, is eloquent.



The fact that while the police extended their protection to the Hanuman Jayanti procession despite it not having permission, they have apparently presented the gathering of Muslims near the C block mosque at about 6 pm as unlawful – exposing their clear bias. There were many reasons for Muslims to gather near the mosque in the evening – which the police could not be unaware of. It was the month of Ramzan, the time of Iftar and the last prayers of the day. Additionally apparently, as we learnt from our discussion with the lawyers on the chargesheet and as reported in the [press](#), it was the date and time for the observance of Teeza (a tradition observed on the third day after death) of the father of Sheikh Ishrafil a well-known man of the locality. Ishrafil had organized a programme to mark this as per custom, and had invited people in the area to eat at the time of breaking the fast in the Idgah behind the mosque at C Block. Despite these legitimate reasons for people to gather in the area around 6 pm, the intent in the Muslim conspiracy account given by police seems to suggest that the violence could have occurred during the earlier two processions which happened between 1 pm to 3 pm. As per police’s conspiracy account, violence could have occurred if the procession organizers had not changed route of the procession and continued to pass by the mosque, without lowering the volume of the music upon requested by Ansar (identified as the key accused in the later communal violence in the police account). The police suggest that this fobbed the plans of the ‘conspirators’ and the violence did not occur in the earlier procession.

The police have gone to great lengths to prove that the violence was a result of conspiracy, on the basis of very slender evidence. According to the official account after investigation they allege that Tabrez and Ishrafil (among alleged “conspirators”) when they came to know that another Hanuman Jayanti procession would pass through the road opposite Jama Masjid in C Block “[As per the plan](#), both of them arranged extra fruits and eatables and started inviting local residents there in the teeza”. This supposedly accounted for the large gathering at the Idgah. In this allegation the police suggest that Sheikh Ishrafil cynically utilised his father’s death to collect people for communal confrontation – of course the assumption being that all this was done on the off chance that the third procession would not divert its path. The logical flaw in this is that if indeed this was a conspiracy, then what would they have done if the 2 pm Hanuman Jayanti procession members had not listened to Ansar and others and proceeded to pass in front of the mosque, and a crowd of Muslims could not have been gathered with the temptation of food as it was not time for breaking fast? None of these possibilities, and logical flaws, seem to have occurred to the police.

***(b) What was the basis of shifting the state version – from ‘Hindu-Muslim jhagda’ to ‘conspiracy’ by Muslims?***

There are several problematic aspects of the investigation that cast doubt on the basis on which the state claim – that it was a ‘criminal conspiracy’ by some Muslims – is made. The state agencies, from a very early point, began to operate on the premise that the communal violence was a (so-called) ‘conspiracy’ by Muslims. This premise was foregrounded in the investigation, notwithstanding overwhelming evidence to the contrary, including evidence apparently available with them and allegedly included in the chargesheet. For instance, it must be recalled that all eyewitness accounts of the time, media and citizen reports suggest that both sides, Hindus and Muslims, participated in the violence and it was a ‘Hindu-Muslim jhagda’ as many PCR callers to the police at the time of the incident reported. These PCR details form part of the 2063 page chargesheet we are told, and apparently more than 60% of the callers said that the incident was a fight/quarrel (jhagda) between both communities, Hindus and Muslims, and a few among them clearly stated that they saw people wearing saffron clothes and carrying swords who were fighting and/or breaking vehicles. Why are these ignored by the police, and

why has this possibility and participation of Hindus in the violence not been substantively investigated? When the statements of PCR callers were recorded under S.161 CrPC (examination of witnesses by police) in the course of investigation, apparently only a few of these callers were examined and their detailed oral testimonies recorded by the police. Significantly, a greater proportion of those who had stated that the incident was one sided and Muslims were aggressors, were examined later by the police and their statements recorded under S.161. These callers/witnesses included VHP and AHP members. Very few of those callers who had stated that both sides were attacking (i.e., the majority of callers at the time of the incident), were examined under S.161.

While the official account acknowledges that some members of the Hanuman Jayanti processions were carrying firearms, swords, sticks etc. it simply states that despite this it was initially peaceful, until it reached the mosque in C Block, Jahangirpuri. There, according to the police version, they were allegedly attacked by Muslims who had gathered there, allegedly as part of a conspiracy and the Hanuman Jayanti procession members engaged only in retaliatory violence as per the police narrative. An unauthorised Hanuman Jayanti procession with participants carrying arms, including firearms openly, shouting religious slogans, and playing aggressive songs, being then described by the police as moving peacefully through the area, exposes the bias of the investigators. Instead of interrogating the prior planning involved among Hindus and Hindutva organisations in holding this aggressive Hanuman Jayanti procession and their role in the communal flare-up the choice of the state agencies to hold on to the idea of ‘criminal conspiracy’ by Muslims is revealing. The connection made in the police account (apparently presented in the chargesheet) between the NE Delhi riots in Delhi in 2020 and this communal incident is particularly tenuous. The police have apparently alleged that the occasion of Hanuman Jayanti was used by some of the accused to provoke the local people in the area to hatch a conspiracy to supposedly take revenge of the deaths of persons of their community during North-East riots in Delhi in 2020. The official narrative of the police apparently claims that some of those accused instigated other local people to join this conspiracy and collect weapons and stones, bricks, glass bottles etc. towards their objective. The police account suggests that some key accused among the Muslims in Jahangirpuri, allegedly motivated other *namazis* to add numbers to the conspiracy and planned to use the opportunity of Hanuman Jayanti processions to attack.

However what is the kind of evidence on the basis of which this claim of ‘conspiracy’ is made? While this is discussed in the following chapter, the implications of the way in which the police have been promoting this theory of a ‘conspiracy’ and its impact on the investigation are very serious. As the discussion of the PUDR team with lawyers has shown, it has contributed to a religion-wise segregation of charges regardless of individual involvement – all Muslim accused are charged under IPC Sections on Conspiracy (S. 120B) and abetment (S.109) as well as attempt to murder (S.307). The few Hindu accused are not charged under these and this community based differentiation of charges has grave implications for bail, sentencing etc. The legal battle that would be needed to fight these charges would place a heavier burden on families of Muslim accused arrested.

### **III. The Question of ‘Evidence’**

It is not by itself a problem if the police investigation yields a completely different account of events than press and eyewitness reports at the time of occurrence, provided the police narrative is based on substantive evidence duly collected in the process of a scientific and fair investigation.

The question is - did this happen in the case of the Jahangirpuri communal clashes of April 2022?

The investigation and the evidence it apparently relied on, its interpretation of the same seem to have several flaws:

- (1) It primarily relied on public witnesses from one community to gather information about a communal incident involving two communities. As mentioned, among the material witnesses from the public, only Hindus were examined.
- (2) As mentioned, it began to treat the incident as a “conspiracy” by area Muslims within a day or two of the occurrence of the incident, even before the police/Crime Branch had investigated the matter. We learnt from our investigation, that the adding of the section in law for ‘conspiracy’ (not present in the FIR) more or less coincided with the transfer of the case to the Crime Branch (from the NW Delhi Police) on 18 April 2022, even as the investigation had just started. The theory of conspiracy was apparently reiterated in the chargesheet, i.e., in the official account of the case as the official version of the truth. This was done despite the tenuousness of the evidence for this so called ‘conspiracy’ that would not stand up to any fair judicial scrutiny.
- (3) The investigation in this FIR relied considerably, it seems, on disclosure statements by arrested Muslim accused about their part in the so called conspiracy. The suspiciously neat statements and their complex standardised language and content – all give rise to doubt. They all draw connection with the accused joining the CAA-NRC agitation and then getting allegedly mobilised against Hindus thereafter and allegedly planning the attack on Hanuman Jayanti procession. The fact that these disclosure statements were extracted in police custody means that they have no legal standing, but they can however be used to influence the popular understanding of the communal incident till the trial has concluded.
- (4) ‘Evidence’ for criminal conspiracy seems to be extremely tenuous and far-fetched – it relied on utterly inconclusive call records that show that the accused were in touch with each other, or the evidence that they had organised buses to take people from these areas to the site of protest at Shaheen Bagh in 2020 when the CAA-NRC protests were going on. Those who rented these buses out to the accused form part of the public witnesses in the case.

It is absolutely unclear what bearing these have on the 2022 April incident. Is it being suggested that merely going in a group to the Shaheen Bagh protest in February 2020 was a crime, if indeed the accused had arranged buses to go there? Does calling up other Muslims in the neighbourhood amount to a crime? How exactly do these separate pieces of evidence amount to ‘hatching a conspiracy’?

- (5) The police investigation has allegedly relied on evidence primarily from CCTV footage and call records, and PCR callers’ records. It has however apparently failed to follow standard methods and procedure to identify accused beyond reasonable doubt– methods like test identification parades among others, for instance, conducted by due process have, it seems, not been used at all. This is evident from illustrations drawn from the description of events given by the police. Thus, we were told that while describing the role of those named as accused, the police version allegedly states that they were pelting stones and holding guns or swords at the same time, a physical impossibility.

There are thus ample grounds to suspect the fairness of the investigation in the FIR 440/22 into the communal incident of April 2022 in Jahangirpuri. The explicit bias evident at various stages of the investigation could also be seen in the timing and site of the bulldozing carried out by the MCD ostensibly for removing encroachments in the area as mentioned earlier. (See Annexure 1: Bulldozing Lives and Livelihoods)

The fact that the investigating authorities completely failed to take into account the prior communal mobilisation in Jahangirpuri (particularly in G block, and also elsewhere) in assigning causes of the communal flare-up indicates their bias and complicity. Various VHP, AHP and Bajrang Dal leaders have apparently been questioned by the police as witnesses (including one person accused under FIR 441) as mentioned. The fact that they are partisan witnesses was not considered apparently. Likewise the deliberate failure to pursue them under FIR 441 is also revealing of their communal bias. In our investigation as well as in media reports at the time of the incident there was ample evidence of such communal mobilisation (See Chapter 1 above). Yet the complete silence of the police on the question of the aggressive WhatsApp messages and [Hindu communal messages evidently circulated in the area months](#) among residents before the incident– including calls to arm themselves– in contrast with their careful collection of WhatsApp messages shared among Muslims in the area to build the narrative of a ‘conspiracy’ – seems to be further evidence of clear bias. Even if these had been deleted by the recipients, the fact that they had been highlighted by media accounts should have led the police to follow up and investigate these. And yet they failed to do so. It is significant that even with such selective and biased investigation, 6 Hindu accused *have* been arrested and charged, though the charges of ‘conspiracy’ have been carefully left out of their cases. Importantly 2 guns and 2 swords have been recovered from these 6 persons, weapons that would have taken considerable effort to get. Is organising the Hanuman Jayanti procession, with music system and also the cart, flags etc., spreading of aggressive communal messages intending to create an atmosphere of hostility between communities, not an indication of prior planning and mobilisation for violence? Shouldn’t those who undertook and participated in this kind of mobilization be identified, arrested and penalized and shouldn’t this mobilization be considered evidence of deliberate intent to create enmity or even as a crime, and multiple acts of violence themselves?

### **The case in court: a few observations**

As arrested accused went to court for bail and the courts deliberated on the incident, the courts have commented on the complicity of the police. According to media reports, on 7 May 2022, ASJ Gagandeep Kang at a Delhi Court said that the possible [complicity](#) of police officers in events that led to the communal clashes in Jahangirpuri needs to be probed. The Judge drew attention to the fact that the procession held on 16 April 2022 did not have permission from the police, and yet they accompanied it along the entire route, instead of stopping an illegal procession.

After the filing of the chargesheet in July 2022, the Delhi High Court granted bail shortly to at least two accused because of the inadequacy of evidence. In the case of [Babuddin, a shop owner](#), in the area the judge granted bail on 30 August 2022, observing that [no CCTV evidence](#) of his role in allegedly instigating the crowd (as the police apparently claimed in the chargesheet) had been provided despite the state being given several dates. In the case of another accused, Jahid, a ragpicker, arrested on 17 April 2022, the Delhi High Court found that he had [not been identified](#) in any of the CCTV footage

About a year after the communal flare-up in Jahangirpuri out of a total of 44 persons arrested, most are Muslims and all except one have been granted bail. One main and 5 supplementary chargesheets have been filed in the course of the year, as per [media reports](#). The case is at the stage of framing charges.

It is crucial and urgent therefore, that attention is drawn to role of the police and the communally biased nature of the investigation, and the grave discrepancies and flaws in these be made public, in the interests of justice.

## Conclusion

What can we conclude about what happened in Jahangirpuri on 16 April 2022? Can the occurrence of the communal clash after months of communal mobilisation in the area by various Hindutva groups, the timing of the third procession of Hanuman Jayanti during Ramzan prayers, its turning towards the mosque be ruled out as a simple coincidence? What actually happened that day now seems to be overshadowed by attempt by the state authorities to reconfigure it to fit the notion of a ‘conspiracy’ by Muslims. This shows the power that the state has to script the official truth, to collect evidence first, select witnesses etc. The Jahangirpuri incident of communal violence in 2022 seems dangerously like a case in which evidence is made to match a theory rather than collected impartially and as per procedure by the police, to establish the truth subsequently— subverting even the most basic principles of justice. It also means that the real accused go scot free.

The incident needs to be contextualised and connected to a certain pattern of communal violence in the city and country. One pattern that seems to be emerging is the way in which communalised religious processions, leading to a clash between two communities, are followed by bulldozing by state authorities targeting Muslims (See Annexure 1). Given that the identical sequence was followed in at least one other place in the country less than a week before the Jahangirpuri incident draws attention to the possibility of a disturbing template of skewed, coordinated official action in communal flare-ups.

Another pattern visible in Delhi NCR, in which the Jahangirpuri incident of April 2022 can be firmly grounded, is the one of communal tensions in various urban or semi urban areas of the region, continuously kept alive, stoked through different means, occasionally flaring up in minor and major incidents. This pattern has become increasingly well-etched over the last eight years or so. A quick glance at media reports of some instances of communal incidents during this period can illustrate this state of routine communal tension. These involve often minor incidents of altercations and [petty squabbles](#) leading to stone pelting and clashes. Some acts are targeted such as [protests over interfaith marriages](#), or attacks on people [offering public prayers](#) or [attacks/threats of attacks](#) on minority religious processions or [institutions](#). Yet others are provocative and deliberate such as [individual acts of defilement](#) or [public acts of exhortations](#). Most of these incidents are localized and can be contained but they leave a simmering underbelly of tensions which erupt from time to time. These kinds of communal incidents in Delhi-NCR draw attention to two related features of recent times that have been nurturing this pattern – firstly, unchecked majoritarian communal mobilisation and provoking of communal passions in civil society, by a wide range of Hindutva organisations, resulting in frequent acts of communal aggression, and secondly, the failure/unwillingness of state agencies to curb these acts/mobilisation, amounting to active collusion with them. This is the basis of the impunity which majoritarian communalists enjoy on the ground.

This kind of ordinary, normalised condition of communal tension is the context of grave and extraordinary communal incidents that have occurred in the last few years in the region—like the brutal [lynching of Mohd. Akhlaq](#) in Dadri, in September 2015, on suspicion of eating beef; or the [brutal lathi charges upon Muslims](#), and targeted attacks on Muslim neighbourhoods in Seelampur-Jaffrabad, Daryaganj, Seemapuri, by the police in the context of the anti CAA protests in December 2019; as well as the [communal riots in NE Delhi](#) in 2020, the worst riot in the capital in decades. These serve as reminders of this restless urban underbelly in this region. The communalised religious procession in Jahangirpuri in 2022 too has to be understood in this context.

Across India, the similarities in scale and nature various Ram Navami-Hanuman Jayanti processions of 2022 were [noticeable](#) as was the fact that so many of them were associated with communal violence and aggression. In Delhi, attempts by the VHP and others in 2023, to once

again hold big processions on the occasion of Ram Navami/Hanuman Jayanti in specifically in Jahangirpuri were curbed by the police and these organisations held a static public programme instead. However, the statement by the Lieutenant Governor's office that the [number of processions for Ram Navami/Hanuman Jayanti in the city has risen from 22 in 2022 to 52 in 2023](#) – is alarming to say the least. The number of participants rose from 6100 in 2022 to 27,500 in 2023, particularly in the North-West, North-East and South-East Police Districts, areas prone to communal violence. While the LG lauded the police for ensuring law and order was maintained this year, could this also be a situation where aggressive majoritarian assertion through such 'religious' processions (as happened in Jahangirpuri in April 2022), is permitted to aggressively occupy public space, chant provocative, violent, adversarial slogans and play songs with lyrics loaded with threat against minorities? Does the fact of police granting permission for these processions in fact mean that this kind of assertion is to be done officially, under the benevolent eye of custodians of law? It would not be too far-fetched to say that the kind of one-sided state action that followed the Jahangirpuri incident (discussed in this report) was intended to ensure that public displays of majoritarian communal power that these religious processions enable, are simply not challenged, and there are no further communal clashes only because the dominance of one is firmly established.

Given that public religious activity by minority groups (including public prayers/processions), even where officially permitted, has been attacked by Hindutva groups in recent times, and the former have been often compelled to comply with the diktat of the latter, with state forces as passive bystanders at best, what does this kind of growth in permitted religious processions of Hindus imply? Does this mean that differential standards of rights exist on the ground for citizens who belong to different religious communities in India, and that the police and Indian state authorities de facto accept that?

It must be noted that it is not only the communalisation of the executive, responsible for implementation of law and policy (revealed in the above discussion in the report) that is a source of concern. Perhaps one of the crucial factors responsible for the persistence of everyday and extraordinary forms of communal violence in India is the consistent absence of any political will by the government, as well as the legislature, to curb it. The fate of The Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill that was tabled in the Rajya Sabha in December 2005, reflects this starkly. The Bill was debated and strongly opposed by the then Opposition led by the BJP, dropped after 2013, and never revived (See Annexure 6: Chronology Samajhiye).

The Jahangirpuri communal clash, its investigation, chargesheet and aftermath so far seem to be pointing to a reality which is very grim. It shows that in this kind of a system, where there seems to be a systemic involvement of the state in the deliberate subversion of justice and perpetuating bias against one of the groups, the communal incident does not end on the date of its occurrence. Rather, it continues to result in violation of citizens' rights through skewed investigation, the making of a biased, flawed but an enormously powerful official version of the incident.

The role of the police, the nature of their investigation in the Jahangirpuri communal flare-up of 2022, their version of events, and the process by which they seem to have arrived at it, seem to indicate that the police and state forces now feel they enjoy impunity and feel confident that this kind of shoddy evidence will pass the rigours of trial scrutiny. While this is yet to be seen, what the police have already managed to do is arrest a significantly larger number of Muslims, subject them to penal processes, instil fear among Muslims in the area and enable the building of a media narrative of a one-sided conspiracy.



This report by PUDR is published in the hope that it is not too late to rectify the wrongs done so far in the Jahangirpuri communal violence case of April 2022 – and to ensure that justice is done. Towards this end PUDR demands:

- (1) The communal clash of 16 April 2022 be investigated anew. The present chargesheet based on a flawed and biased investigation should be quashed. Those accused and arrested under it should be released, and the truth of the incident be established through a fair and impartial investigation, fresh collection and assessment of evidence by an independent agency, and renewed framing of charges, fairly, in an investigation monitored by a sitting High Court judge.
- (2) Those state representatives guilty of such wrongful and biased investigation should be identified through an immediate enquiry, and duly arrested, prosecuted and punished.

.....

## ANNEXURE 1: Bulldozing lives and livelihoods



In the aftermath of the communal violence on 16 April, 2022, Jahangirpuri witnessed another incidence of violence on 20 April, 2022. This time, by the state authorities. North Delhi Municipal Corporation (henceforth NDMC) who brought in bulldozers and demolished shops and street vendors' mobile stalls/ handcarts (*thelas/ rehris*) in the same lane where the clashes took place. Reports and residents say that they were not informed by the Municipality or any concerned authorities, and realized something was happening when there was a heavy deployment of security forces around 8 am on 20 April 2022. Over a thousand security personnel had blocked access to the main road of block C of Jahangirpuri. According to [media reports](#), 7 bulldozers were deployed by the NDMC, under the protection of Delhi Police. Vending carts, stalls, and other equipment used by many street vendors and hawkers in block C were completely turned into scrap by the bulldozers. Gas stoves and utensils were seized and

food items were thrown on the road. In our investigation we found that some of these vendors had permission and licenses from the NDMC.

Shabnam (name changed) and her husband used to set up shop selling *kababs* on the road on a *thela*. Her work was running smoothly as it was the month of Ramzan and people spent a lot during festivals. The road where she sold kebabs was the one where the bulldozers hit first. No one knew it was coming. There were no announcements and no notices. They could not find enough time to remove their *thela* from the road and their equipment on it. At around 9.10 am, they crushed her livelihood in front of her and her three crying children. They took away the grill/oven (*bhatti*), cooking utensils, cylinder etc. She was hoping to save some money for clothes for her children. She rented a small dimly lit room with no ventilation or bathroom for Rs 2200/-. The landlord had started harassing her for next month's rent following the incident as he knew she will be unable to pay. She had exhausted all sources of borrowing money and her husband was unable to find a job in the area during the month of Ramzan. Shabnam had a certificate of permission for street vending from NDMC and a card from Hawkers Joint Action Committee, NDMC. Before razing her *thela* to the ground, no one checked their papers.

Amongst many noticeable things, two points stand out. Despite the claims made by the police and media that it was communal clash between Hindus and Muslims, NDMC resorted to bulldozing of only the Muslim majority at block C area and not the other blocks of Jahangirpuri. Second, the demolition started at 9am and the [Supreme](#)

[Court of India on the same day at 11 am](#) had passed an order to stop the demolition or anti-encroachment drive and maintaining the status quo. But the demolition process continued for another two hours. No action was taken against encroachments in other blocks.

There seems to be a larger and underlying pattern that lies hidden behind incidents of bulldozing by the state (across the country) simply as an anti-encroachment measure. The sequence of events at Jahangirpuri in April 2022, of communal clashes followed by bulldozing seems to have occurred previously elsewhere. On 23 December, 2021 Gandhi Nagar area of Madhya Pradesh's Dhar district witnessed communal clashes when 'Shourya Yatra' by right-wing hindutva groups attempted to forcefully enter Gandhi Nagar area (a Muslim locality) against the instructions of the police. Media reports state that stones were pelted by both Hindus and Muslims and yet two days after the incident, only the Muslims' houses were demolished. Similar incidents occurred in MP again, almost at the same time as Jahangirpuri incident. On 10 April 2022, communal clashes occurred in Khargone, Madhya Pradesh on the eve of Ram Navami celebration. Following day on 11 April 2022 the local administration have [destroyed at least 49 properties](#), all belonging to members of Muslim community.

This kind of selective and targeted use of bulldozers in the name of demolishing encroachments has become a phenomenon in India and several incidents took place especially in Uttar Pradesh and Madhya Pradesh. The Chief Ministers of these two states came to be popularly called [Bulldozer Baba](#) and [Bulldozer Mama](#) around the same time, and the threat of bulldozers being used in a targeted manner by state authorities remains in the popular imagination. Many [songs](#) have also come up on social media calling for razing of Muslim homes. Bulldozing has been also called upon in election rallies. In February 2022, Chief Minister of Uttar Pradesh in an election rally [said](#), "Maine bulldozer bhej diya hai repair ke liye. 10 March ke baad jab ye fir se chalna prarambh hoga to jin logo mein abhi jyada garmi nikal rahi hai, ye garmi 10 March ke baad apne aap shant ho jayegi. The machine has also been used in rallies as a show of strength.

The incidents of bulldozing homes and shops can be categorized into three: the first kind, was the communal targeting discussed above; the second category consists of so-called 'routine' anti-encroachment drives conducted by authorities to clear market areas, roads, etc. for various purposes such as redevelopment, or beautification; the last category is where bulldozing is used by the [police as tool to fight crime](#).

There have several violations by the state authorities where due procedure that should precede anti encroachment measures and demolitions is openly flouted, evidently because the municipal and police officials enjoy impunity and have been [encouraged](#) by political leaders to take the law into their own hands, allegedly to fight crime, in some instances. In Uttar Pradesh many incidents of police bulldozing houses of alleged criminals have come up. They have been reported to threaten them with a bulldozer parked in front of their property and call upon surrender of the accused. Assam also witnessed incidents of the use of the machine. However, the state government [assured](#) in the High Court that action will be taken against the officials involved. No clear updates are available on whether this has happened or not.

In Delhi, in April-May 2022 there was a wave of local municipalities carrying out demolition drives, using bulldozers to raze the so called 'illegal encroachments' mostly in Muslim dominated areas. Our team visited several areas such as Mangolpuri, Kalyanpuri, Vasant Kunj, Rohini, and Lodhi Colony in Delhi which has witnessed bulldozing by municipal authorities. Just like in Jahangirpuri, these street vendors also had permissions and were operating for several years. It is to be noted that none of the houses owned by the better-off were razed by the bulldozers even though they had also encroached upon areas outside their allocated plots. In the name of illegal encroachment only the poor and Muslims and Dalits were targeted.



## **ANNEXURE 2: List of accused persons under FIR 440/22**

*(compiled on the basis of discussions with lawyers, media reports)*

1. Anshar @ Ansar @ Mohd. Ansar
2. Salim @ Saleem @ Chickna @ Salman @ Sheikh Saleem
3. Sonu @ Imam
4. Sheikh Innus @Yunus
5. Dilshad
6. Ahir @ Zahir
7. Muktyaar @ Mukhtar Ali
8. Aksar @ Akshar @ Sheikh Aksar
9. Gulam Rasul @ Gulam Rasool @ Gilli @ Gulli
10. Md. Ali @ Jasmuddin @ Ali Jasmuddin
11. Zakir @ Jakir Hussain @ Sheikh Jakir
12. Sheikh Sohrab
13. Noor Alam
14. Zahid
15. Shahjad
16. Md. Ali
17. Amir
18. Akram
19. Imtyaz
20. Sheikh Hamid
21. Jaffar @ Zaffar Ahmed
22. Babudin Ansari @ Babu
23. Farid @ Neetu @ Needu
24. Mohd. Afzal
25. Sheikh Salim
26. Jahir Khan @ Jalil
27. Anabul @ Sheikh Anabul @ Nepali
28. Tabrej
29. Abdul Raja
30. Sheikh Anwar
31. Mubarak Hasan @ Billi
32. Suraj
33. Sujit Halder
34. Manik
35. Neeraj Sarkar
36. Sukhen Sarkar
37. Sujal

### **List of accused listed as absconding at the time of filing main chargesheet, later arrested**

1. Sanwar Kalia
2. Saddam Khan
3. Salman @ Suleman
4. Ashanoor
5. Ishrafil
6. Hasmat @ Asmat
7. Sheikh Sikandar

**Remaining absconding accused, not arrested so far:** Jahangir

### ANNEXURE 3: FIR 440/22, Jahangirpuri PS

#### FIRST INFORMATION REPORT (Under Section 154 Cr.P.C.)

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (ज़िला): NORTH WEST P.S.(थाना): JAHANGIR PURI Year(वर्ष): 2022 FIR No(प्र.सू.रि.सं.):0440 Date : 16/04/2022  
(DELHI)

2. Act(s)(अधिनियम): Section(s)(धारा(एँ)):  
- IPC 1860 147/148/149/186/353/332/307/323/427/436  
- ARMS ACT, 1959 27

3. Occurrence of Offence (अपराध की घटना):  
(a) Day(दिन): SATURDAY Date From(दिनांक से): 16/04/2022 Date To(दिनांक तक): 16/04/2022  
Time Period (समय अवधि): Time From (समय से): 18:00 hrs Time To (समय तक): 18:00 hrs  
(b) Information received at P.S.(थाना जहाँ सूचना प्राप्त हुई): Date(दिनांक): 16/04/2022 Time (समय): 23:40 hrs  
(c) General Diary Reference (रोजानामा संदर्भ): Entry No.(प्रविष्टि सं.): 139A Date/Time(दिनांक/समय): 16/04/2022 23:56

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):  
(a) Direction and Distance from P.S.(थाना से दूरी और दिशा): SOUTH, 2 Km(s)  
(b) Address(पता): कुशल सिनेमा चौक जहांगिरपुरी, दिल्ली Beat No(बीट सं.): 01  
(c) In case, Outside the limit of the Police Station (यदि थाना सीमा के बाहर है):  
Name of P.S.(थाना का नाम): District(ज़िला):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):  
(a) Name(नाम): I (Inspector) RAJEEV RANJAN SINGH, PIS No.16050074, Belt No.D-410  
(b) Date/Year of Birth (जन्म तिथि/वर्ष): 24/05/1978 Nationality (राष्ट्रियता): INDIA  
(c) Passport No.(पासपोर्ट सं.): Date of Issue (जारी करने की तिथि): Place of Issue (जारी करने का स्थान):  
(d) Occupation (व्यवसाय): POLICE OFFICER  
(e) Address(पता): PS JAHANGIR PURI DELHI, JAHANGIR PURI, NORTH WEST, DELHI, INDIA, 9910603386.

7. Details of Known/Suspect/Unknown accused with full particulars(attach separate sheet if necessary)(ज्ञात/संदिग्ध/अज्ञात अभियुक्त का पूरा विवरण सहित वर्णन):

8. Reason for delay in reporting by the complainant/informant (शिकायतकर्ता/सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):  
NO DELAY

9. Particulars of the properties stolen/involved (attach separate sheet if necessary):  
SI.No. (क्र.सं.): Property Type(Description) Est. Value(Rs.)(मूल्य (रु में))

10. Estimated value of property stolen (चोरी हुई सम्पत्ति का कुल मूल्य):

11. Inquest Report / U.D. Case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी. प्रकरण नं., यदि कोई हो):

12. F.I.R. Contents (attach separate sheet, if required) (प्रथम सूचना रिपोर्ट तथ्य):

Statement of Insp. Rajeev Ranjan, No. D-410 PIS No. 16050074 Insp. Investigation PS Jahangirpuri Delhi Age 44 Years, ब्यान किया मैं था ना जहांगीरपुरी में बतौर Insp. Investigation तैनात हूँ आज दिनांक 16/04/22 को मेरी duty मय स्टाफ ASI Brij Bhushan No.262/NW, ASI Jugender 147/NW, HC Dinesh No. 1498/NW, HC Suraj Bhan No. 2301/NW Hc Pritam No. 504/NW, HC Ravinder No. 207/NW, HC Manish No. 439/NW, Ct Deepak No. 1845/NW, Ct Suman No. 2148/NW, Ct Akshay No. 2172/NW, Ct Dinesh No. 2694 व DCP Reserve स्टाफ के साथ हनुमान जन्मोत्सव के arrangement में था ना जहांगीरपुरी के इलाके में थी जो हनुमान जन्मोत्सव के उपलक्ष्य में एक पक्ष द्वारा शोभा यात्रा निकाली जा रही थी। जो समय करीब 04:15 PM पर शोभा यात्रा EE - Block Jahangir Puri से शुरू हुई व via BJRM Hospital road, K-Block, BC Market, Kushal Chowk, G-Block, Mangal Bazar Road Mahindra Park, A-ONE Motors Mangal Bazar Road Mahindra Park पर समाप्त होनी थी। शोभा यात्रा शांतिपूर्वक तरीके से चल रही थी परंतु जब शोभा यात्रा समय करीब 06:00 PM पर C-Block जामा मस्जिद के पास पहुंची तो एक शख्स अंसार अपने 4-5 साथियों के साथ आया और शोभा यात्रा में शामिल लोगों से बहस करने लग गया जो बहस ज्यादा बढ़ने के कारण दोनों पक्षों में पथराव शुरू हो गया, जिसके कारण शोभा यात्रा में भगदड़ मच गयी। मन Insp ने मय स्टाफ की मदद से इस पथराव को रोकने व शांति बनाए रखने की अपील करते हुए दोनों पक्षों को समझा-बुझाकर अलग अलग कर दिया। लेकिन कुछ ही मिनटों के बाद दोनों पक्षों की ओर से अचानक फिर से नारेबाजी व पथराव शुरू हो गया जिसपर मन Insp ने कंट्रोल रूम को इस बाबत सूचना दी जिसपर अन्य पुलिस अधिकारी मय पुलिस बल मौका पर आए। हालात संभालने के लिए सीनियर अधिकारियों द्वारा लोगों से शांति कायम करने की बार बार अपील की गयी लेकिन एक पक्ष द्वारा लगातार पत्थरबाजी की जा रही थी जो इस हालात को काबू करने के लिए 40-50 Tear Shells छोड़े गए व भीड़ को तितर बितर किया गया व हालात को काबू किया गया। दौरान पथराव भीड़ की तरफ से पुलिस पार्टी पर फायरिंग व पथराव किया गया जिसमें SI मेदालाल थाना जहांगीरपुरी के बायें हाथ में गोली लगा दी व 4-5 गाड़ियों में तोड़ फोड़ कर दी। जो इस कदर हनुमान जन्मोत्सव के उपलक्ष्य पर शांतिपूर्वक ढंग से निकाली जा रही शोभा यात्रा पर कुछ असामाजिक तत्वों के द्वारा पथराव कर के व गन फायरिंग कर के, संग्रयादिक दंग किए हैं, शांति भंग की है तथा प्राइवेट प्रॉपर्टी में आगजनी करके जिससे Duty के दौरान तैनात पुलिसकर्मियों व पब्लिक के आदमियों को चोट पहुंची है। इस दंगे में मुझे भी चोट आई मेरा मेडिकल कराया जाये व उपरोक्त असामाजिक तत्वों के खिलाफ कानूनी कार्यवाही की जाये। आपने मेरे से पूछताछ कर के मेरा ब्यान लिखा ब्यान पढ़ लिया ठीक है। SD English Insp Rajiv Ranjan Attested By SI Rajesh PS Jahangir puri, श्रीमान जी Duty Officer PS Jahangirpuri बराए कार सरकार निवेदन है कि DD No 71A व इस बाबत अन्य DD entries मौजूद होने पर मन SI मय Ct Harender No. 2169/NW जाये मौका कुशल चोक जहांगीरपुरी पहुंचा जहां Insp. राजीव रंजन साहब मुलाकी हुए जिनहोंने पुश्त हजा ब्यान तहरीर कराया। मौका पर काफी पुलिस बल तैनात था व दो पक्ष आमने सामने हो रहे थे जिनको पुलिस पार्टी समझा बुझाने की कोशिश कर रही थी लेकिन काफी पथराव हो चुका था और मौका पर काफी पत्थर, टूटी हुई बोतल आदि बिखरे पड़े थे। मन SI ने प्राइवेट कैमरा से मौका की विडियोग्राफी कारवाई व फोटो लिए व मौका से पत्थर, टूटी हुई बोतलें व damage vehicles को अलग अलग फर्द बनाकर कब्जा पुलिस में लिया गया। पूछताछ पर पता चला कि इस घटना में कई लोग घायल हुए हैं। मन SI मय हमराह Ct Harender BJRM अस्पताल जहांगीरपुरी पहुंचा जहां पर MLC No. 198413/22 SI Medalal, जिस पर डॉ साहब ने A/H/O Gunshot as told by self L/E Gunshot/Puncture wound on Lt. forearm व नतीजा चोट OR refer to ortho SR तहरीर फरमाया, MLC No 198424 HC प्रीतम सिंह 504/NW जिस पर डॉ साहब ने A/H/O Physical assault as told by self L/E Abrasion over R forearm, Abrasion over R parietal व नतीजा चोट Simple तहरीर फरमाया, MLC No. 198425/22 Insp. Rajeev Ranjan जिस पर डॉ साहब ने A/H/O Physical assault as told by self L/E Abrasion over left leg व नतीजा चोट Simple तहरीर फरमाया, MLC No. 198420/22 अजाने Ct Deepak Kumar-1845/NW जिस पर डॉ साहब ने A/H/O Physical assault as told by self L/E miled tender + L3-L4 reason व नतीजा चोट simple तहरीर फरमाया। MLC No. 198418/22 अजाने ASI Brij Bhushan 3075/NW जिस पर डॉ साहब ने A/H/O Physical assault as told by self L/E Abrasion on Lt. side forehead red bruise on Lt. poplital region ROM+Poplital region and Knee व नतीजा चोट simple तहरीर फरमाया। MLC No. 198417/22 अजाने ASI Arun Kumar-3055/NW जिस पर डॉ साहब ने A/H/O Physical assault as told by self L/E Abrasion on Rt. side mandible and abrasion on Lt Leg व नतीजा चोट simple तहरीर

फरमाया | MLC No. 198416/22 अजाने Ct Suman Kumar जिस पर डॉ साहब ने A/H/O Physical assault as told by self L/E Incised Wound on Lt Elbow (3\*0.9 CM) Approx. व नतीजा चोट simple तहरीर फरमाया | MLC No. 198415/22 अजाने HC Dinesh No. 1498/NW जिस पर डॉ साहब ने A/H/O Physical assault as told by self-nail Break on Lt little finger व नतीजा चोट simple तहरीर फरमाया | MLC No. 198419/22 अजाने Uma Shankar S/o Ram Dhenu Dubey R/o 2nd Floor VHP office Jhande wali Devi Mandi जिस पर डॉ साहब ने A/H/O Physical assault as told by self L/E Abrasion on Lt hand thumb, Incised superficial wound over neck Lt. lateral and posterior side व नतीजा चोट simple तहरीर फरमाया हुआ है को हासिल किया | जो ब्यान बाला व हालात व मुलाहजा MLC सेरेदस्त सुरत जुर्म U/s 147/148/149/186/353/332/307/323/427/436 IPC & 27 Arms Act का सरजद होना पाया जाता है | लिहाजा तहरीर हजा बगर्ज कायमी मुकदमा बदस्त Ct Harender अस्साल थाना है | मुकदमा दर्ज रजिस्टर करके नंबर मुकदमा से अवगत कराया जाये व मौका पर क्राइम टीम को भिजवाया जाये | मन SI मौका पर मशरूफ बातफतीश हैं | तारीख वक्त वकुवा:- 16/04/2022 at about 06:00 PM, जाय वकुवा:- कुशल सिमेमा चौक जहांगीरपुरी दिल्ली, ता. वक्त खानगी तहरीर:- 16/04/2022 at 11:40 PM, SD English SI Rajesh Attested By SI Rajesh kumar no D-6598 Ps Jahangir puri कार्यवाही पुलिस अज थाना लेख की लिखित की मौसुलगी पर मन SI/DO ने मुकदमा नं 440/22, U/S 147/148/149/186/353/307/323/332/427/ 436/IPC & 27 Arms Act दर्ज Register करके व CCTNS Opp. CT Rajesh no 1112/nw के द्वारा CCTNS में फीड कराकर Original तहरीर व computerized FIR copy, बदस्त CT Harender no 2169/nw के द्वारा मौका पर SI Rajesh D-6598 के पास भिजवाई गई | जो आइन्दा तफ्तीश अम्ल में लायेंगे |

13. Action Taken Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2: (की गयी कार्यवाही: वृत्ति उपरोक्त जानकारी से पता चलता है कि किया गया अपराध मद सं. 2 में उल्लेख द्वारा के तहत है):

(i) Registered the case and took up the investigation: (प्रकरण दर्ज किया गया और जांच के लिए लिया गया):

(ii) Directed (Name of the I.O.)(जांच अधिकारी का नाम): RAJESH KUMAR

No(सं.): 16190451

to take up the investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) OR(या)

(iii) Refused investigation due to (जांच के लिए):

(iv) Transferred to P.S.(नाम)(थाना):

OR (के कारण इन्कार किया या)

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित)

District(ज़िला):

F.I.R read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost: (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी):

R.O.A.C.(आर.ओ.ए.सी.):

14. Signature / Thumb Impression of the Complainant / Informant:

(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

Signature of Officer

Name(नाम): SURENDER SINGH

Rank (पद): SI (SUB-INSPECTOR)

No.(सं.): 26892395

15. Date and Time of despatch to the court: (अदालत में प्रेषण की दिनांक और समय):

## ANNEXURE 4: FIR 441/22, Jahangirpuri PS

### FIRST INFORMATION REPORT (Under Section 154 Cr.P.C.)

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): NORTH WEST P.S. (थाना): JAHANGIR PURI Year (वर्ष): 2022 FIR No. (प्र.सू.रि.सं.): 0441 Date: 17/04/2022

2. Act(s) (अधिनियम):  
- IPC 1860 Section(s) (धारा(एँ)): 188

3. Occurrence of Offence (अपराध की घटना):  
(a) Day (दिन): FRIDAY Date From (दिनांक से): 15/04/2022 Date To (दिनांक तक): 15/04/2022  
Time Period (समय अवधि): Time From (समय से): 00:00 hrs Time To (समय तक): 00:00 hrs  
(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 16/04/2022 Time (समय): 10:00 hrs  
(c) General Diary Reference (रोजानामाचा संदर्भ): Entry No. (प्रविष्टि सं.): 058A Date/Time (दिनांक/समय): 17/04/2022 10:07

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):  
(a) Direction and Distance from P.S. (थाना से दूरी और दिशा): EAST, 0.5 Km(s)  
(b) Address (पता): PRAYAS CHILD HOME, EE BLOCK, JAHANGIR PURI, DELHI  
(c) In case, Outside the limit of the Police Station (यदि थाना सीमा के बाहर है):  
Name of P.S. (थाना का नाम): District (जिला): Beat No. (बीट सं.): 05

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):  
(a) Name (नाम): Asst. Si (Assistant Sub-Inspector) PRAMOD KUMAR, PIS No. 28911094, Beat No. 134/NW  
(b) Date/Year of Birth (जन्म तिथि/वर्ष): 15/07/1971 Nationality (राष्ट्रियता): INDIA  
(c) Passport No. (पासपोर्ट सं.): Date of Issue (जारी करने की तिथि): Place of Issue (जारी करने का स्थान):  
(d) Occupation (व्यवसाय): POLICE OFFICER  
(e) Address (पता): POLICE STATION, JAHANGIR PURI, NORTH WEST, DELHI, INDIA, 9013085623.

7. Details of Known/Suspect/Unknown accused with full particulars (attach separate sheet if necessary) (ज्ञात/संदिग्ध/अज्ञात अभियुक्त का का पूरे विवरण सहित वर्णन):

8. Reason for delay in reporting by the complainant/informant (शिकायतकर्ता/सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):  
NO DELAY

9. Particulars of the properties stolen/involved (attach separate sheet if necessary):  
Sl. No. (क्र.सं.) Property Type (Description) Est. Value (Rs.) (मूल्य (रु. में))

10. Total value of property stolen (जोरी हुई सम्पत्ति का कुल मूल्य):

11. Inquest Report / U.D. Case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी. की प्रकरण नं., यदि कोई हो):

## 12. F.I.R. Contents (attach separate sheet, if required) (प्रथम सूचना रिपोर्ट तथ्य):

सेवा में श्रीमान Duty officer थाना जहांगीर पुरी दिल्ली बकार सरकार निवेदन है कि दिनांक 15/04/22 को मुस्समी प्रेम शर्मा S/O सूरज कान्त शर्मा R/O B-22 मोती बाल रोड आदर्श नगर दिल्ली जिला सेवा प्रमुख V.H.P बजरंग दल व बह्म प्रकाश सह विभाग मन्डी बजरंग दल ने हाजिर थाना आकर Vide DD No. 83A बाबत हनुमान ज्यन्ती जलूस निकालने प्रमिशन के लिये थाना में एक दरखास्त पेश की थी। जिनको बतलाया गया था कि इस प्रकार की प्रमिशन हासिल करने के लिये DCP NW साहब से प्रमिशन हासिल करनी होती है जो कल दिनांक 16/04/22 को इन्होंने बिना प्रमिशन के लोगो को इकठ्ठा करके अपनी मर्जी से गैर कानूनी तरीके से जलूस निकाला जिस पर दो समुदाय का आपसी संघर्ष होने की संभावना थी इसरोज थाना से पता किया गया जो इस प्रकार की थाने में कोई प्रमिशन व इतला होना नहीं पाया गया इस प्रकार उपरोक्त मुस्समी प्रेम शर्मा व बह्म प्रकाश ने अपने तौर पर लोगो को नाजायज इकठ्ठा करके गैर कानूनी रूप से बिना प्रमिशन के जलूस निकालकर अफसरान वाला के Notification No. 4567-4666/ACP Jahangir Puri Delhi Dated 01/04/22 का उल्लंघन करके इतकाब जर्म U/S 188 IPC का किया है लिहाजा तहरीर हजा बर्गज कायमी मुकदमा दर्पेश है मुकदमा दर्ज रजि० करके नम्बर मुकदमा से इतला टी जाये। तारीख व वक्त वकुआ - 15/04/22 at Unknown जाय वकुआ :- प्रयास चाइल्ड होम EE Block जहांगीर पुरी दिल्ली, तारीख व वक्त खानगी: तहरीर - 16/04/22 at 10:00 am Sd. English ASI Parmod Kumar No. 134/NW PIS No. 28911094 PS Jahangir Puri Delhi Dt. 16/04/22 कार्यवाही पुलिस अज थाना लेख की प्राप्ति पर मन W/HC/DO ने मुकदमा न०.441/22, U/S 188 IPC दर्ज Register करके व CCTNS Opp. W/Ct. Meenu No. 2260/nw के द्वारा CCTNS में फीड कराकर Original तहरीर व computerized FIR copy ASI Pramod Kumar No. 134/Nw के हवाले की गई। जो आईन्दा कार्यवाही अमल में लागू। मुकदमा हजा की प्रतिलिपि डाक द्वारा अन्य उच्च अधिकारियों को भेजी जायेगी।

## 13. Action Taken. Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही: चूंकि उपरोक्त जानकारी से पता चलता है कि किया गया अपराध मद सं.2 में उल्लेख धारा के तहत है।):

(i) Registered the case and took up the investigation.

(प्रकरण दर्ज किया गया और जांच के लिए लिया गया):

(ii) Directed (Name of the I.O.) (जांच अधिकारी का नाम): PRAMOD KUMAR

Rank (पद):

ASST. SI (ASSISTANT SUB INSPECTOR)

No(सं.): 28911094

to take up the investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) OR (या)

(iii) Refused investigation due to (जांच के लिए):

OR (के कारण इकार किया गया)

(iv) Transferred to P.S.(name)(थाना):

District(जिला):

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित)

F.I.R read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost: (शिकायतकर्ता / सूचनाकर्ता को पार्थमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी):

R.O.A.C.(अ.ओ.ए.सी.):

## 14. Signature / Thumb Impression

of the Complainant / Informant:

(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

Signature of Officer

Name(नाम): VEENA YADAV

Rank (पद): HC (HEAD CONSTABLE)

No.(सं.): 28960038

## 15. Date and Time of despatch to the court:

(अदालत में प्रेषण की दिनांक और समय):

## ANNEXURE 5: Sections of Law

### Sections of IPC used in FIR 440/22, Jahangirpuri PS

• 186	Any voluntary obstruction to a public servant to prevent them from carrying out their functions.	Up to 3 months imprisonment or Rs. 500/- fine, or both
• 353	Obstruction to a public servant to prevent them from carrying out their functions by use of assault or criminal force	Up to 2 years imprisonment or fine, or both
• 332	Voluntary causing hurt to a public servant to prevent them from carrying out their functions.	Up to 3 years imprisonment or fine, or both
• 333	Causing grievous hurt to a public servant to prevent them from carrying out their duty.	Up to 10 years imprisonment or fine, or both
• 323	Voluntarily causing hurt, excepting cases under section 334(causing hurt to the provocateur due to provocation which otherwise they wouldn't have hurt anyone)	Up to 1 year imprisonment or Rs. 1000/- fine, or both
• 436	Arson or use of explosives with the intent to destroy a house, place of worship, etc.	Life imprisonment, or 10 years imprisonment and fine.
• 109	In offence committed as a consequence to an abetment, the abetment is considered the same as the offence	Abetment shall be punished on the same ground of the offence too
• 147	Rioting	Up to 2 years imprisonment, or fine, or both.
• 148	Rioting, armed with deadly weapon, or anything that when used as a weapon is likely to cause death.	Up to 3 years imprisonment, or fine, or both.
• 149	If an offence is committed by a member of an unlawful assembly in the prosecution of the common object of that assembly, every member/person present in that assembly would be guilty of that offence.	Depends on the offence committed. This section acts more like a supplement, or appendage, one that is used to hold a multitude responsible.
• 307	Attempt to murder with intention and knowledge of consequences of their actions.	Up to 3 years imprisonment and fine; in the attempt if hurt is caused then punishable by life imprisonment.
• 427	Mischief causing damage amounting to Rs. 50/-	Up to 2 years imprisonment, or fine, or both.

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Punishment of criminal conspiracy	<p><b>1</b> If the offence is punishable with death, then life imprisonment, or rigorous imprisonment 2 years or more.</p> <p><b>2</b> If no provision in IPC to punish a conspiracy, then they are punished as if they abetted the offence.</p> <p><b>3</b> If offence is not punishable with death, then imprisonment up to 6 months, or fine, or both.</p>
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#### Arms Act Sections

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This section deals with certain offences relating to manufacturing, maintenance of record of sale by manufacturer, possession, purchase, sale, transfer, conversion, tamper, repair, test, etc. by individuals and manufacturers both.	Punishments range from 6 months to 10 years depending on the type of subsections and clauses charged under.
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Punishment for the use of fire arms, etc.	<p><b>1</b> Unauthorized/unlicensed use of fire arms or ammunition is punishable from 3 to 7 years of imprisonment.</p> <p><b>2</b> Use of prohibited fire arms or ammunition is punishable from 7 years to life imprisonment.</p> <p><b>3</b> If use of prohibited arms or ammunition results in a death, then it is punishable with death.</p>
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#### Section used in FIR 441/22, Jahangirpuri PS

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Disobedience to an order duly promulgated by public servant. It is not necessary for the offender to intend or to contemplate their disobedience would cause obstruction, harm, or riot but only that they know they are violating an order issued by a public servant.	<p><b>1</b> If disobedience causes or tends to cause or risks obstruction, annoyance, or injury, then it is punishable with simple imprisonment of 1 month, or fine up to Rs. 200/-, or both.</p> <p><b>2</b> If it causes or tends to cause danger to human life, health or safety, or causes or tends to cause riot, it is punishable with imprisonment up to 6 months, or fine up to Rs. 1,000/-, or both.</p>
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## ANNEXURE 6: Chronology Samajhiye

### What our Legislators Think

Following the 2004 general elections, the UPA (United Progressive Alliance) introduced The Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill in the Rajya Sabha in December 2005. The Bill sought to prevent and control communal violence through speedy investigations, trials, and rehabilitation to victims. The Bill defined ‘communal violence’ as “any act of omission or commission which constitutes a scheduled offence”. The target group included religious communities but also “any group, caste or community”. The Bill gave enhanced powers to the state government to declare “communally disturbed” areas when death, destruction, disharmony are created by the use of criminal force.

The Bill was referred to a Standing Committee of Home Affairs which sought opinions of experts. In Parliament it was strongly opposed by the then Opposition parties, especially by the BJP for eroding the rights of the states



to intervene in matters of law and order. The Bill remained pending and there were no further debates till the end even though the UPA introduced 59 amendments, including the central government's obligation to constitute a Unified Command following communal violence.

In 2009, the UPA II came to power, the Cabinet cleared the amendments and placed the Bill before the Parliament. Once again, the Bill was vigorously opposed by the Opposition because it encroached into the country's federal structure. Based on inputs made by civil society organizations, the Bill was redrafted by the NAC (National Advisory Council) in 2011 as Prevention of Communal and Targeted Violence Bill. This Bill offered more specific definitions, distinction between 'dominant' and 'non-dominant' groups as targets of communal violence, and greater provisions of relief for victims. Again, the Bill was opposed as it was perceived as anti-federal and anti-majoritarian and one which had been conceived by a body which had no parliamentary status and it had been created without proper consultation with state governments. The Bill was referred to the NIC (National Integration Council) where it was opposed by BJP and other opposition led states.

In 2013, after the carnage in Muzaffarnagar, the government tabled the Bill for the Winter Session. Based on the debates, the Bill underwent further modifications including the deletion of the distinction between majority and minority groups etc. The passage of the Bill was stalled in the run up to the national elections of 2014. Since the [NDA \(National Democratic Alliance\) came to power](#), the Bill has never been revived.

### **Without Comments**

In April 2022, Union Minister of Minority Affairs told a visiting European Union delegation that there had been "[no major incidents of communal violence](#) in the past seven-eight years." Notably, a few weeks before, [the MHA stated in the Lok Sabha](#) that a total of 3999 instances of communal or religious rioting were reported across the country between 2016 and 2020. Further, in December 2022, Union Minister of State for Home gave a break up of [cases registered for communal or religious rioting for 2017-2021](#) from NCRB figures: 723 (2017); 512 (2018); 438 (2019); 857 (2020) and 378 (2021).