OFFICE OF THE COMMISSIONER OF POLICE : DELHI

No. 226 /PRO/PHQ, dated, Delhi the 04/5/2010

To

The Editor,
The Times of India,
New Delhi.

Subject:- Regarding news reports **"Special PP gives the lie to cops' claim in Sajjan case"**

Sir,

This refers to the captioned byline news report appeared in The Times of India on 29th April 2010. In the news items, it is reported that the Delhi Police is falsely claiming that its decision to withhold a chargesheet against Congress leader Sajjan Kumar in a 1984 massacre case was based on the independent advice given to them by the Prosecution Branch. It further suggests that Shri R.P. Khatana, who was legal advisor-cum-Chief prosecutor of Riot Cell, gave opinion of clubbing of chargesheet because he was on deputation to the Riot Cell and was "very much on their pay roll". The contents of news item are distorted, one-sided, motivated and a deliberate attempt to prejudice the ongoing trial in the matter.

It is clarified that the then Hon'ble L.G., Delhi had promoted Shri R.P. Khatana as a Chief Prosecutor in the Directorate of Prosecution, Delhi Administration, against a newly created post in the Committee consisting Justice J.D. Jain and Shri D.K. Agrawal to scrutinize the cases of November 1984 riots. Shri R.P. Khatana was the Chief Prosecutor of Special Riot Cell and had his office at Patiala House Courts. Needless to say, being Chief Prosecutor of Special Riot Cell, Shri R.P. Khatana rendered legal opinion on the basis of facts and circumstances of the cases in a fair and impartial manner. Shri R.P. Khatana was very much the part of Prosecution Branch of GNCT of Delhi as usual although drawing salary against the vacancy of staff sanctioned for Special Riot Cell. It is highly preposterous and defamatory to allege that Shri R.P. Khatana opined to club the two cases just because he drew his salary from Delhi Police.

In the charge sheet of case FIR No.418/91, the facts about clubbing of FIR No.67/87 have been clearly mentioned with a request

to the Hon'ble Court to take appropriate decision. With the conclusion of trial of case No.418/91 the logical end of the clubbed case FIR No.67/87 would automatically and inevitably be decided by the Hon'ble Court.

It is deeply regretted that despite giving a detailed clarification as to how the chargesheet in questioned case was clubbed through the rejoinders send on 9-4-2010 with regard to the news items i.e. **"84 Riots : No action on one FIR" and "DCP summoned in riots cases" and 26-4-2010 with regard to news report "Cop clubbed 2 Sajjan cases, hid 1 chargesheet"** appeared in the Times of India on 7th, 8th and 22nd April 2010 respectively, the newspaper still carries factually incorrect and one sided report in the matter on the basis of version of unauthorized persons. The reporter has surpassed the ethics of journalism by terming the clarification of the police as justifying inaction in the matter.

In view of the above stated facts and circumstances, it is clear that full legal action has been taken in respect of both the FIRs in question and all accused persons against whom evidence came were arrested and charge sheeted without fear or favor and are facing trial. It is, therefore, requested that the correct facts of the matter may be published with same prominence for your esteemed readers. It will also be appreciated if the reporter is advised to get the facts verified from the concerned authority for objective assessment of the facts and advised to refrain from reporting matters which are sub judice before reporting on such sensitive matters Which sends a wrong message to the readers and undermines fair image and hard work of Delhi Police.

(RAJAN BHAGAT)
Public Relations Officer
Delhi Police