OFFICE OF THE COMMISSIONER OF POLICE: DELHI.

No.357/PRO/PHQ dated Delhi, the 25.05.2020.

To

The Editor,
The Indian Express,
Express Building,
B-1/B Sector-10,
Noida-201301,
Uttar Pradesh.

Subject: **Rejoinder to the captioned news item-"NE Riots:Lack of Evidence,20 gets bail" appeared in the daily "Indian Express" on 24.05.2020.**

Sir,

This is with reference to the above-mentioned byline news item, which appeared in your esteemed newspaper on 24.05.2020.

a. The captioned news item appeared in the daily "The Indian Express" on 24.05.2020. The title of the news item is misleading, wherein the Express reporter has weaved a story by selecting "few facts", that too in bits and pieces, which may appear comfortable to him and he has tried to build an impression that the accused persons arrested in rioting cases of NE Delhi have been released on bail due to shoddy investigation, which is completely misleading and mischievous. He is trying to build an unfounded narrative that Delhi Police went about indiscriminately arresting the accused persons during the Covid-19 period without collecting proper evidence and that the trial courts have granted bail to 20 accused in last 5 days, as it appears from the caption.

b. An analysis of the bails granted by the Ld. Court reveals that the several Courts of NE district have granted bail in separate cases, which add up to 20 persons in 90 cases in which bail applications were filed, over last few days, which has been picked up by the reporter to build his narrative. Whereas he conveniently ignored the fact that only 3 bails have been granted by the courts dealing with the SIT cases and they are also being challenged.

c. The primary reasons for granting the bail by the Ld. Courts in the riot related cases were:

   I. To decongest the Jail Complexes in view of the directions of the Hon'ble Supreme Court and further the guidelines issued by the High Powered Committee chaired by the Hon'ble Justice of the Delhi High Court to release the accused on interim bail where they are not involved in heinous cases. In continuation of the above, it is to clarify that several accused of riot cases were granted interim bail for 45 days subject to furnishing personal bond. However, it does not in any way exonerate or establish the innocence of the accused.

   II. The Courts have also taken into consideration humanitarian grounds where the accused has prayed that he is the sole bread earner for his family and on this ground too, several persons have been granted bail.

III. In only few cases the Courts have observed that the Investigating officer has not been able to collect electronic evidences against the accused persons and that there are no public witnesses. It must be at the outset emphasized that electronic evidences may not be available in all cases but that does not mean that the oral and other circumstantial evidences are absent in the investigation. Moreover, when the case is at the stage of investigation, no comments can be inferred on the merits of the case and it is only at the stage of trial that the evidence can be appreciated wholly. However, it is to highlight that cases are still under investigation where evidences are still being collected on day to day basis.

IV. The Ld. Courts in several cases have also held that in view of this present extra-ordinary situation, there is no likelihood of early trial and decided to give benefit of bail to the accused. Such cases are being examined and appropriate legal remedy will be sought where the interest of investigation has not received due consideration at the time of granting of bail.

d. It is necessary to put the record straight and mention that over 750 cases have been registered related to North-East Delhi riots, wherein more than 1300 accused have been arrested by the Investigating teams of North-East District, Crime Branch and Special Cell, in a major riot spanning 36 hours in which 53 persons lost their lives, large amount of public and private properties were vandalized. It's a bizarre thought process that COVID-19 pandemic is affecting only the accused who went about participating in the riots, destroying public and private properties, indulging in arson and looting, causing grievous hurt to citizens and even loss of lives of innocent citizens. The reporter shows no concern for the policemen who have braved the pandemic and carried out their duties with utmost dedication and devotion to bring to books the perpetrators of crime. He is trying to play to the gallery of vested interests and build a counter narrative in favour of the conspirators and other guilty persons.

e. It is to emphasize that investigation in all cases connected to North-East Delhi Riots is being done meticulously and without any fear or favour. The sole objective of the investigation is do bring to books the perpetrators of riots.

In view of the above-stated facts, it is requested that this rejoinder may be published with the same prominence, so as to put the facts in proper perspective before your esteemed readers.

Yours faithfully,

(Mandeep S. Randhawa)IPS
Public Relation Officer
Delhi Police, Delhi

25/05/2020