

Communalism

Judicial system Manipulated and Justice reduced to a Farce by Ruling Classes

It is apparent from various court verdicts recently delivered in various cases against the “saffron terror” viz the terror of Hindutva forces, that the NDA rulers are skillfully manipulating the judicial system to their advantage through their governmental power for obtaining the acquittal of the heinous criminals against humanity, duly reducing the dispensation of justice in to a mere force.

One year back Sadhvi Pragya the main accused in Malegaon blast case (2008) along with 7 other accused were acquitted to go scot free by the district court of Bhopal despite sufficient evidences against them.

Same thing has happened in the Ajmer Dargha blast (2007) and the Samjhouta Express attack (2007), while the same were accused in the cases that belong to extreme right-wing Hindvata outfits.

More aghast is the case of acquittal of the main accused swami Aseemanand from the Mecca Masjid blast case of Hyderabad on May 18, 2007 killing nine persons and inspiring 58 others. This swami Aseemanand is accused in all the above cases and connected with them.

Swamy Aseemanand himself had confessed of his guilt before a magistrate at Delhi. Despite reminded by the magistrate to reflect on his decision to confess, that he could be inviting a death penalty by confessing, a month later he confessed to another magistrate owning up of his involvement in Mecca Masjid and other bomb blasts. But since Aseemanand retracted his confession, the NIA court judge acquitted him on the pretext of “lack of evidence!” Immediately after the delivery of the verdict the judge put in his papers. It came in to light that the special prosecutor appointed in this case was a person who had no experience in criminal law persons besides that he was a member of A.B.V.P while he was studying his second year law and thus was associated with B.J.P, RSS and other Hindutva outfits. The NIA, the investigative agency, too fell in line with the forces in governmental power and diluted the case successfully defeating the justice it-self.

With in a fortnight of the above mentioned court verdict, on April 20, Maya Kodani, a minister in Narendra Modi’s government was acquitted in the Naroda Patia case in the 2002 pogrom of Muslims. Kodani become a minister after the riots in 2012, she was convicted by a trial court as the ‘king pin’ of rids and given 28-year prison term. The High Court acquitted her on appeal. Her acquittal shocked the people, since she was seen by some at the scene exhorting the mobs to kill Muslims, distributing swords and assuring the mob that there would be no enquiries by the police. That this case is skillfully bungled by the prosecution at the behest of B.J.P rulers is clearly apparent.

Again in another case of the custodial death of Khwaja Yunus, a 27 year-old software engineer, who was arrested in Mumbai in December 2002, for a bombing in Ghatkopar that killed two, was reported by police to have disappeared while under police escort to Aurangabad, and a CID probe revealed that the police had tortured him to death. The special public protester Dhiraj Miraskar, who was appointed in Nov.2015, was suddenly removed from his post cancelling his appointment by the Maharashtra government on April 17; which he had to learn in the court when another public protector informed the judge of it. He is sacked because he asked that four police officials who tortured and killed the victim be made additional accused in the court. The Maharashtra state government unwilling to put the efficient and criminal police officials on trial, had summarily dismissed the very special public prosecutor appointed up itself to defeat justice.

The opposition parties have been alleging that is the process of protecting Amit Shah-the B.J.P President who was an accused in Godhra massacre case, Justice Loya was murdered.

In U.P already the state government had prepared the ground to acquit the main accused from Muzaffar Nagar case and save Minister Suresh Rana, former central minister Sanjeev Balayan, MP Bhartendu Singh and MLA Umamahesh from that case.

Though technically all these cases appear to be failed due to weak prosecution and inefficient and ineffective probes by investigating agencies, in reality they are the result of the manipulations committed by the rulers in power, by misdirecting them in the bid to defeat the very spirit of justice and

justice itself. The judicial system is vulnerable and controlled by the powers in government to act according to their wishes and whims.

So there is nothing to believe in the rhetoric about the independency of judiciary, equitable justice, all are equal before law and sacrosanct judiciary and justice etc, and one need not have illusions by such high-sounding phrases.

As has been with all other administrative organs and departments of the exploitative ruling system, judiciary and judicial system is also a part and parcel of it. This very condition automatically made it a puppet in the hands of the ruling classes and their representatives.

This reality is once again confirmed in the above mentioned cases.

Unless and until a people's new democratic government is established real justice remains to be a mirage and elusive.
