

## **1984 Anti Sikh Pogrom**

### **Why in news?**

The first order of capital punishment in the 1984 anti-Sikh riots case after the 2015 reopening was announced recently.

### **What was the verdict in this case?**

- The punishment was announced by the Patiala House court.
- It is in connection with one of the cases reopened by the Special Investigation Team (SIT).
- The SIT was formed by the Ministry of Home Affairs (MHA) in 2015; a year after the NDA government came to power.
- Earlier, the case was closed in 1994, with the Delhi Police citing a lack of evidence.
- Court records reveal that a mob of 500 people, including the two accused, allegedly burnt shops and looted the area.
- Convict Yashpal Singh, who was accused of killing two persons during the anti-Sikh riots in Delhi's Mahipalpur area, was given the death sentence.
- The other convict, Naresh Sherawat, will be serving a life term in prison.
- The court directed that the complete original case file be submitted to the Delhi High Court for confirmation of the death penalty.
- As per the Code of Criminal Procedure (CrPC), the death penalty cannot be executed unless confirmed by the High Court.
- This is the first time a convict has been handed the death sentence in the 1984 anti-Sikh riots after the cases were reopened by the SIT in 2015.
- The last time a person involved in the anti-Sikh riots was sentenced to death was in 1996.
- This verdict offers a glimmer of hope for substantial justice despite the passage of 34 years.

### **What happened in 1984 anti Sikh riots?**

- Anti-Sikh pogrom of 1984 was a watershed event in India's secular consciousness.
- In June 1984, Operation Bluestar was launched to 'flush out' armed Sikh separatists who had taken refuge in the Golden temple premises, Amristar.
- Most of the Sikh community was angered by the damage caused by the

Army's assault on the Golden Temple.

- On October 31 1984, the then Prime Minister Indira Gandhi was assassinated by her Sikh bodyguards as a revenge.
- The assassination was followed by the anti-Sikh riots in 1984.
- The riot lasted three days with Sikhs raped and murdered, their homes and businesses torched, especially in Delhi.
- In the Mahilapur case, Delhi, a mob of about 500 persons, led by the two convicts, had encircled the house of the victims and had killed them.
- It was just one of the incidents out of several others in Delhi.
- Of the 650 cases registered in connection with the anti-Sikh riots in Delhi, 267 were closed as untraced by the Delhi Police.

### **What is the significance of this judgment?**

- The judgment is significant in many ways, especially in terms of the time taken etc.,
- The conviction of two rioters marks a rare success in the long struggle to bring the perpetrators to justice.
- This case was reopened after being closed as 'untraced' in 1994.
- The court also concluded that the testimony of key witnesses, who were themselves injured, was cogent and reliable despite minor discrepancies in evidences.
- The latest verdict demonstrates that these many years (34 years) was not an impediment to the project of securing justice.

### **What were the challenges in bringing the preparators to the justice?**

- Large sections of the police cooperated illegally with the rioters, who included Congress functionaries and supporters.
- This was a major factor that hampered the investigation into the 1984 riot cases.
- Manipulative investigation and shoddy prosecution along with the slow judicial process are the other challenges.
- This judgment is only a token reassurance that can at best send out a message to limit the complaint that nothing was done.
- A long-time Congress functionary, Jai Pal Singh, had been tried and acquitted by a magistrate's court as early as in 1986.
- Still the main culprits in the anti-Sikh riot are yet to be brought to the justice.

**Source: The Hindu, Press Trust of India**



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