

THE DOCK
(English version of Punjabi
Novel 'Katehara')

One

Waiting for the government lawyer, the *thanedar* felt that the third day would also go down the drain.

Eighty five days had passed since the culprits had been arrested. If the prosecution case was not presented in the court within the next five days, then, they would be released on bail. Their release would not only loosen the noose round their neck, but the whole case would again be sent back for investigation.

Why wasn't the investigation completed within ninety days? Naazar Singh, the *thanedar*, would be thus be grilled. His officers would berate him for many months. Naazar Singh would have to pay thousands, in offering to them, to get them off his back. He may also have to face some punishment. The possibility of a bigger punishment could also not be ruled out.

A member of the opposition had already put up a question in the legislative assembly. Why are these innocent persons not being released? Why are the real culprits not being arrested? He wanted an answer.

From the lowest employee of the thana, to the chief minister, all wanted to evade this question. The legal experts had said that there was only one way out of this. The case should put in the court as quickly as was possible. Any matter which is *sub judice*, cannot be discussed anywhere. Not even by the *Vidhan Sabha*.

The Deputy Superintendent of police had suggested the name of Pakhar.

He was a master at preparing documents. A large part of his service had been in the *CIA*. He was an expert embroiling a culprit in not one, but could slap a couple of cases under different Acts on him. A sack of stolen utensils on head, with a spear in hand, and opium in his pocket. If this was not enough, then a can of illicit liquor in the bag slung on his shoulder. The document would be so well prepared, that even the sharpest lawyer could find no way out of this. All his cases resulted in punishment.

This name had not met with the captain's approval. Cases involving liquor and drugs do not need much documentation. Evidence in such case is, normally, the same, and one needs to make small changes in the same format, and secure punishment. It is in cases of murder and rape, that the intelligence of an investigator is put to test. Phakhar had never investigated such a case in all his service. This case of a murder, without any clues would be beyond him.

The captain wanted an investigator who was not only sharp - witted, but also imaginative. In a complicated case of murder, an investigator has only scrappy information of events that have taken place. He has to weave the warp and the woof of the whole case himself, and to make it fit the legal requirements. In this case, the investigator would have to invent the story, as also create the evidence himself.

The captain was of the view that only Naazar Singh could manage this stubborn case.

The sagacity and courage with which he had solved a case of rape, had taken Naazar's stock high in the eye of the Captain.

The brother of a warden of an orphanage had raped a fifteen year old inmate, in broad daylight. When he saw the critical condition the girl was in, he fled.

Such occurrences were not new for the orphanage. The girl would cry and weep, and gradually, quieted down. The warden thought it best to sit tight till the storm blew over.

But in a few hours the cat was out of the bag.

The matter had reached the management. They were impatient to take some action, and there were many reasons for it. First, the girl was very young. Second, the rapist was an ordinary man, and not one of the management. If this was allowed, then anyone could exploit the girls. The third reason was the warden herself. She was a beauty; the managers were in no way, getting any advantage of her beauty. Now, she was in their clutches.

Afraid of losing her job, and the arrest of her brother, the warden had tried to hush up the matter. She had consulted a lawyer. On one hand, she tried to keep the management at bay, and on the other she destroyed all the proofs of the rape.

When the evidence was fully destroyed, she also disappeared. The management was furious. In a fit of pique, they had called in the police.

What could the police do in a case which was dead?

The case had been filed after a week. This lapse was enough in itself to let the guilty off the hook. Then, the clothes that the girl had been wearing at the time of rape had been burnt. It was essential for the police to get hold of those clothes. They had the semen of the rapist on them. Even pubic hair of both would be found on them. The abrasions on the body of the girl had healed. There was no medical report to support the event, no eye witness. The guilty would not be convicted on the basis of the statement of the girl alone.

The Captain, at that time was the Deputy Superintendent of this area. He had been given the case as it was so complicated. It was not possible that the guilty would not be convicted if the deputy was the investigator!

Naazar Singh was, at that time, the Deputy's reader. He was consulted.

Naazar collected a number of proofs within an hour.

He took the girl to his home on the pretext of writing her statement. When he came back after an hour, the girl was in the same condition as she had been when she had been raped for the first time.

The case was a success.

It was after a great deal of thought that this case was given to Naazar Singh.

At that time, Naazar had willingly taken on the responsibility. His superiors had shown confidence in him, and this was a matter of pride for him.

But, as the investigation had moved forward, his enthusiasm had started waning.

The deputy, who had come to investigate in his desire to help Naazar, had taken care of him. That no one should trouble him; his other cases had been taken away and handed over to other *thanedars*. He was not even to go out in the area. He had only to sit quietly at the table and to complete the paper work of this case.

This favour shown by the Deputy was now getting to be a burden for Naazar.

Even if he were not to indulge in any hanky panky, the expenditure, till the *challan* was presented in the court, would be nothing less than a thousand to fifteen hundred. This much is spent in any good case. In this dead, case everything had to be done right from scratch.

A scale map was needed. The photographer had to be paid. The writing expert had to be coaxed to give the right report. The charge files had to be changed. The government advocate also had to be appeased. The court *naib* had to be entertained. If the one who had to conduct the prosecution was with him, things would be easier for him. Now, Naazar was in a fix. Neither could he spend money from his own pocket, nor could he complete the case without spending. As a result, the case was hanging fire.

Had the other investigations not been taken away from Naazar, he would have tried to collect some money from elsewhere. He could have summoned the party involved in the Bhador murder case, or the accused of the Sahkari Sabha. Who knows how much should they pay? He could have taken double the amount from one party and sorted out the whole problem.

In the same way, a case of S.326 had once become a problem for him. It was a case of a quarrel between brothers. An agreement had been arrived at through the intervention of relatives. The fee for the agreement was pocketed by the police officer, and on top of it, he told the sarpanch- 'Don't even give a two anna bit to any bastard, and if anyone harasses you come to me.' The brothers had to accept this. The file was given to the government advocate. No party paid the government advocate, and therefore, he would not present the case in the court. Naazar would be grilled at every meeting, why was the case being delayed? Finally, one day he caught some *lalas* gambling. If an accused pleads guilty to gambling, even then he cannot be fined more than fifty rupees. The government lawyers do not bother about such cases. They approve it after a cursory glance.

Naazar threatened the *lalas*. Frightened them with the power of the government advocate. 'If you do not pay him well, he would get you put behind bars. He had an arrangement with the judge. If he is happy, he would get the judge to let you go.'

The terrified *lalas* immediately handed over five notes of hundred. Two Naazar kept himself, and three he handed over to the government lawyer. One for some other case and two for the 326 case. The whole work was done in no time.

It was because of the lack of money that the case had not been put up before the court for the last eighty five days.

Murders do not take place every day. If once in a while, a murder is committed, then, everyone expects a fee. The government lawyer also had the same expectation. He had to use all his skills and apply his mind for full three hours. He had to read the case file word-by-word. Compare the statements. Examine the post mortem report. Scrutinise the site plan. He also had to correlate the various documents. The government does not give them any almonds to strengthen their minds. If a party pays them, only then would he spend his energy.

As Naazar had not given him any money, the lawyer had not taken the case file out of his drawer. It was lying where it was sure the last three days.

When, on the first day, Naazar had taken the prosecution file to him, then Surindir Kumar had met him with cordiality. Hearing that Naazar had come with a murder case, his smiling countenance had bloomed like a flower. Even in the worst case, he could earn a minimum of four-five hundred.

Surindir Kumar had kept turning the pages of the file for quite some time. Naazar Singh was fully aware of the meaning of all this. He was waiting for his fee. Naazar should have handed over the money along with the file to the lawyer. But Naazar could have given him if he had something with him to give. He kept sitting there silently. It was not necessary that money should be given in each and every case. After all, it was his duty to check the ‘challan’.

Finding the *thanedar* sitting brazenly there in silence, the advocate also decided to be shameless. He straight away asked – ‘Have you brought the plaintiff?’

‘The plaintiffs are Lalaji and *Yuva Sangh*, and you know about them. As it is, they are annoyed with the police. They are looking for pretexts to complain against us.’

‘Then, what would happen to the accused?’

‘You know about them also. The *samiti* people are daily taking out processions against the police. The matter has reached Parliament.’

‘But you are here!’

Naazar could not understand whether the irritated government lawyer had cut a joke or was being sarcastic!

‘When have we run away!’ Naazar did say it but he did not put his hand into his pocket.

‘Doesn’t matter, Let me read the file. You come tomorrow at about eleven and take it.’

The advocate was also not naive. He had, very cleverly shrugged Naazar off. If there is not cash, then let him work hard. If he is not willing to do that, then, he would suffer.

Surindir knows how to extract money from an investigator who is caught in a bad fix. If nothing else, one can hand over one’s wrist watch which is not working, to him, and ask him to get it repaired. Get him to get the gas cylinder refilled. Ask him to get some tickets for a movie. Ask for a car to take one’s children out. Until he can meet these requests, the *thanedar* does not meet the advocate.

But, Naazar was grateful to god that no such request had been made to him on the first day.

Naazar could understand only one reason for no request having been made, and that was, that the lawyer wanted to establish a direct contact with the parties concerned .

It was also not possible that he had not yet tried to establish this contact. Munshi, lawyer, panch, sarpanch, pradhan were all his friends. By this time, they would all have been able to set up a link between the government lawyer and the parties. Some would have tried to advise Lalaji with a long preface.

‘The government advocate has to build up the case. It would be in our interest that we should meet him. If we do not, he may leave some loopholes.’

Some would have met the accused. They would have tried to explain things over and over again, so that it should penetrate their thick minds.

‘The *thanedar* has been very helpful. But, the best would be if the government lawyer should present the case as has been prepared by the *thanedar*. If we give him something only then he would protect your interest. Else, he would spoil the case.’

Upset, both the parties would have met Surindir.

Surinder would have tried to reassure Lalaji.

‘Don’t worry *sethji*, I will make such a case that these men would not be let off, even if they go right up the high court.’

He would have called the relatives of the accused to his home. He would have patted them on the back and said :

‘Don’t worry there are plenty of loopholes for them to be set free. If I don’t fill them the judge can never hold them guilty, even if he tries his best.’

These impressed people would have promised him money.

But, from Surindir’s behavior, it appeared that he, like Naazar, had not got anything.

Had he been given something, then he would have studied the case file properly. He would have tried to find ways to make the guilty innocent, and innocent guilty. He would have tried to get changes made in the case, so that he could keep his promise to the plaintiffs or the defendants.

He had done this in another case that Naazar had been handling.

The drunkard son of the *nambardar* had, in a quarrel with the neighbours, fired in the air. The police, while writing the report, had written that it was due to his negligence and carelessness. This way, it was a very small offence under s.326, and bail was admissible. The nambardar, after discussing it with the chief, presented the boy directly in the court. The court immediately gave him bail. The opposite party was caught on the wrong foot.

The complainant now got in touch with Surinder. He first pocketed a wad of currency notes himself, and then got the investigator another. The statements of the witnesses were changed slightly and the case immediately became an offence under s.307. Earlier, the gun was fired in the air, and now, it was aimed at the plaintiff. It was now a non bailable offence from a bailable

offence. The boy could be bailed out only after cooling his heels in the jail for a month, that also by the high court.

The government lawyer can do whatever he wants. Naazar Singh is not concerned. He may call Lalaji or the relatives of the accused. Let him change the statements of the accused, or change the sections applicable to the case. He should only approve the case.

But, the next day also, the situation was unchanged.

Naazar was to get the charge sheet at about eleven. He arrived at about ten o'clock.

He was harried wherever he went. In the office, his boss would keep hounding him.

'Why are you here? Sitting on eggs? Why don't you go and sit on that bastard's head?

It he comes to the court, the prosecuting lawyer doesn't even acknowledge him.

Eighty five out of ninety days had already passed, but Naazar had not been able to get anything yet from the lawyer. First, he is bound to criticize the case that has been built up against the accused. Then, the report will go to his boss, who will then point out more loopholes. Then, it would be discussed with the district attorney. If it proceeds at this pace, then Naazar would have to loiter in the corridors of the court for another ninety days.

The government lawyer had gone to the court at about ten.

At eleven he found out that the lawyer was sitting in the bar room playing cards. Naazar sent in many messages, but there was no response.

Getting up from his game he left for lunch.

Coming back from lunch he went into the court.

Naazar Singh understood the purpose of this hide and seek. He did not want to do Naazar's work. He was deliberately avoiding him.

About three, he went to the cabin of the lawyer Saini. Naazar was somewhat relieved. Saini was one of the close friends of Lalaji. Perhaps, he has gone to discuss a way out.

But, in a few moments, Naazar's relief turned to sadness. Soda bottles were being taken into the room. The door was closed. One could hear sounds of laughter.

When he could not get anything till four, then, helpless, Naazar had to knock.

Surinder seemed to be waiting for him. He called Naazar in with great show of respect. He was given a chair, and then a drink was handed over to him.

Naazar was in no mood to drink. If he sits here drinking, then no work would get done. He pushed the tumbler away.

Before Naazar could ask about the challan, Saini nudged Surinder. The bottle of whiskey was empty. He indicated.

‘You come to my bungalow in the evening. We will work over the challan at leisure. Now you do this... fetch two bottles of whiskey, two chicken and about a kilo of fish.’

Naazar had no objection in getting these things. He would pass the order on. Whiskey bottles from the liquor contractors and fish from Ajit. The worry was how would Surinder in his inebriated state, work on the challan.

Once earlier Naazar had the opportunity to sit with him. Surinder had been fully sozzled after only half a bottle. He did not know where he was and sitting with whom. First, he quarreled with the hotelier, and then, after coming out from the restaurant, started shouting and abusing like an uncouth man. He started teasing the girls on the road. He slapped the *rickshaw-wallah* while getting into the rickshaw. Had Naazar not been with him, someone would have surely thrashed him soundly.

Naazar had no other option except to obey the orders.

He reached Surinder’s bungalow early in the morning. Let alone working on the challan, he had not reached home even at that time. Fuming inwards, he came back.

The story was still at a standstill on the third day also. Waiting for the government advocate, Naazar was cursing his chief.

Lal Singh had been the chief officer of the thana since the last three months. He had not come to the court even once in these months. The judges and the prosecuting advocates were all upset. If he were to call upon these people once in a fortnight or so, what would he lose? His subordinates would be more comfortable. Presently, it was a case of the judicial officers venting their anger on the subordinates, as the senior officer was avoiding them. They could not harm Lal Singh in any way. All their anger was taken out on Naazar.

The chief officer, who had been posted here earlier, was sensible in this regard. He would see that sacks of wheat were delivered to them at harvest time. Whiskey bottles would be presented on the occasions of Lohri and Diwali. Also, he would send a car if a trip to the village was planned. This kept the officers happy. You could then get them to do what you wanted.

If you tell Lal Singh this, he turns on you. He would stiffen and answer arrogantly : ‘First, you spoil them yourself, and then you cry about it. If he doesn’t check the *challans* then write it in your daily report. Send a copy to the district attorney. Write that they are asking for money. Then, an investigation would be started against them!’

It is easier to advise others. If you have to follow the same advice, then you realize how difficult it is. Naazar wants to continue with his job, he doesn’t want to go home, yet.

Naazar had not forgotten the pitiable condition of his *ustad* – his trainer. In the same way, he had been egged on to complain against the government advocate. No one still knows whether the district attorney had scolded the lawyer or no, but he had definitely complained to the police captain. He narrated the details of the money that he had extracted. It had been difficult for the *ustad* to

extricate himself out of the tangle. He had to grovel before the police captain, and apologise to the government advocate.

Ustad's reputation had suffered in the eyes of the government advocate. He would not let him enter his office. Would not approve of his reports. He would always point out defects and loopholes. And would always say sarcastically – 'Now you know the consequences of complaining against judicial officers!'

Filing a complaint was not a solution to Naazar's problem. He would have to do what the lawyer wanted.

Naazar had decided that if the lawyer did not appear inclined to approve the challan, then he would hand over hundred rupees to him. One hundred would suffice and get the work started. If the challan were to be delayed, then there would be trouble.

Thinking over it, Naazar extracted a hundred from his wallet, and tucked the note into his front pocket.

He also issued instructions to the naib court. As soon as the government lawyer enters his office, he should immediately bring a jug of juice.

Would his efforts bear fruit today? Lost in this question, Naazar did not realize that Surinder Kumar had come in and was sitting before him.

'Were you dozing?' Surinder asked gulping down half the glass of juice at a draught.

'No Sir... perhaps....' Naazar, answered, giving him a salute with one hand and rubbing his eyes with the other.

'Your chief is a smart man! He doesn't send the prosecuting officer for prosecution! Witnesses are turning hostile one after another. Let alone others, even policemen are retracting their statements. The goods recovered are not sent in order, summons are not properly served.' The advocate had begun assaulting the morale of the *thanedar* as soon as he entered his office.

Sending the prosecution officer to supervise the things to be sent to the court as evidence, or to see that summons are properly served was not a part of Naazar Singh's duties. This was the job either of the chief, or the munshi. Naazar wanted to give him this answer. But he thought it politic to keep quiet till the challan had been checked.

'Doesn't matter, sir, I'll pull up the munshi and the person responsible for serving the summons on my return to the thana. Things will be fine tomorrow.'

There was silence between the two for some time.

Then, Surindir pulled out some files from the drawer and began going through them.

'Has my work been done, sir?' It had seemed to Naazar that he had taken out his file. But when he started looking through some other file, then Naazar was forced to remind him of the purpose of his visit.

'What work?'

'Bunty murder case file, sir, which I had given to you the day before?'

‘That? Did you not say that you will send Lalaji? I was waiting for him. Neither Lalaji came nor did you do anything.’ Surindir had no time to waste on public discussion. He had gone straight to the heart of the matter.

‘I had told you... Both the parties are weak...’

‘But you are not badly off. It is not necessary that you should pay only in a case in which you have got money. There are so many cases which you settle outside. Neither the case comes to us, nor the party. You can pay from that quota for a case like this!’

‘No, sir. The deputy is strict. One never knows what will he say and when. If we take even twenty rupees from anyone, that also he takes away from us the next day. We barely make ends meet, sir. Even then, this is for you...’ and Naazar took out the hundred which he had tucked in his pocket for this very purpose.

‘That is all?’ Surinder was feeling insulted at the sight of just one hundred.

‘It should do, sir. I am giving it from my own pocket. I’ll make up the loss in some other case.’ Naazar pleaded, putting the note under a book on the table.

‘We will see about later later on. This would not do.’ Angrily, Surindir pushed the book with the note under it towards Naazar.

‘Do keep it. Yesterday also I had spent about three four hundred.’ Naazar was now annoyed with Surinder over this bargaining. All that he had done earlier was being ignored.

Surinder relaxed a little at the mention of the expenses of the day before, but he did not want to abandon the hope of extracting another hundred.

Surinder opened his drawer and took out another batch of files, and put them on his table.

‘All these challans have come before yours. If I go by sequence then your turn will not come for another ten days.’

‘But, sir, my challan is very urgent. If the challan is not presented within five days, I’d lose my job.’

‘For eighty five days you carried your file tucked under your arm. When five days are left, now you want me to deal with it out of turn. After all, it is a murder case. One has to go over it word by word.’

‘This is not the only job that I had, sir. First, I had to prepare the whole file. Ten days I was in Chandigarh getting the moulds and the fingerprints changed. I have been working on this file alone since the first day.’ Naazar’s patience had reached its end. He was now on the verge of rudeness.

‘Then, I am also not sitting idle. I have to look after work of two courts. I don’t even have time to lift my head.’

‘You are very right, sir. We were talking about this at the meeting, yesterday. Deputy sahib was saying that you are over worked, and cannot complete the work you have. He was saying that he would talk to the D.A., and get him to lighten your burden. I will also tell him, that he should send the letter soon.’

Finally, Naazar's strategy had worked. When he had not been able to, get his work done in the usual manner, he had been compelled to apply these pressure tactics. He had put his finger on the tenderest point.

One government lawyer had resigned. No one had been appointed in his place. The government advocates were all a race trying to get his workload. If one was sending a tin of ghee to the D.A., another was presenting a carton of whiskey.

But Surinder had won the race. If, once the deputy complains about him, then he would lose the work and it would also damage his reputation.

'What is the need to write to D.A.? Bring your file. Let me examine it. Or else the guilty would get a bail.'

Naazar's arrow had struck home. Muttering, to himself, the government advocate began working on the file.

The hundred rupee note was still lying under the book. Neither Surindir picked it up, nor did Naazar.

Two

Finding that the court was about to rise for the day, Surinder Kumar came to his senses.

He began performing his duty conscientiously.

His eyes were on the file, but his mind was busy over the comments of the deputy.

What the deputy had said was right! Out of six police stations in the sub division, four were with him. They were all prominent and busy thanas, where a few cases were registered practically every day. His workload had become so heavy that he had no time even to lift his head. He would finish with one thanedar, and two would be waiting for him. One would summon him to the inner court, another to the outer.

This extra work had not come to him in routine. He had done plenty of running about to get this extra responsibility. He had even got one minister to recommend his name, and given the district attorney five thousand. Government advocates were in short supply in the state these days. Many posts were lying vacant, and no new posting could be expected till April. The manner in which people had flocked to the earlier government lawyer's office, one could imagine how much money he would be making.

The city thana was one of his new charge. Surinder Kumar had already realized the importance of this police station.

He had been very popular at Bhatinda. His relations with both, the local people and the police, had been very cordial, and the police had never said 'no' to him. There was always some one or the other wanting to take him to the thana. If it was not the doctor requesting his help to get his car from the thana, where it had been taken by the police after an accident, then, it would be Masterji wanting him to sort out some problems with his neighbours, who had called the

police. If Lalaji was caught gambling, he would come seeking his help. He also was always willing to help, and there were plenty of rewards for him in return. People were full of gratitude. One was free to ask someone for the loan of a car, and ask the trader to send in a few sacks of grain. No one would refuse.

At Rampura, he had contacts with big people. That was, the time when the cement stolen by the S.D.O Gupte had been caught, as also the tar had that had been taken by Garewar, the overseer. The daughter-in-law of the Jains had been burnt to death, and the headmaster's daughter had run away. He had played a crucial role in getting the involved parties freed, and had taken large amounts of money from both the parties. Half he had kept with himself, and the other half he had passed on to the police.

The government lawyer is as important to the local police as the M.L.A..

For this very reason, Surinder had spent money like water to get this situation.

Ever since Naazar had told him about the deputy's comment, he was worried. He didn't want the Bunty murder case to create problems for him.

He did not know whether he could depend on the D.A. or no. Could he depend on the D.A., and try to call the deputy's bluff? But, if the deputy were to really complain against him, would the D.A. give it credence or no?

If one were to think about the benefits of office, the D.A., was with him all the way.

He had hardly taken charge, when about ten days later, the D.A. had asked him to arrange a car for him, as he had to attend a wedding at Amritsar. He had said he would return in a day, but he did not come back for three days. The car had also been roughly used. Surinder Kumar had to pay three thousands for minor repairs to the car.

He had just covered this loss, when he had been asked for another favour. This request had actually been made to the D.A., but he passed it on to Surinder. No one knew whether he had been asked or not, but the D.A. had told him to send a v.c.r. to the director. A v.c.r. would cost about twenty thousand. The D.A. had singled out Surinder by giving him additional work, and now he expected the favour to be returned. If not the full responsibility, Surinder should at least take on half the burden.

Tired of all these favours, and indirect bribes, Surinder had even toyed with the idea of giving up the extra responsibility. He, however, could not even annoy his boss. It was because of the backing of the D.A., that he had been throwing his weight about. He had been collecting plenty of money from all parties – complainants, defendents, havaldars and thanedars.

If anyone is harassed he is sure to complain to the D.A.. Though, the D.A. does not let anyone come too close, yet, if someone pleads and implores, he would take the application, and would then put it away. Then, he would send for Surinder. Surinder would get someone to mediate between him and the annoyed party, and settle the problem.

Surinder had built a reputation for himself in the courts, and that also, because of the backing of the D.A.. Everyone knew that he could ask for any duration for a police remand, and could get whatever punishment handed down for the accused, who had confessed to his crime. All accused had to face Surinder before facing the court.

Going through the file, Surinder was disheartened, and felt that perhaps he was not up to the job.

Had Surinder been sensible, he would not have expected to be paid in this case. He was fully aware of the fact that there was nothing to take in this case. Whichever officer had been negligent, had been punished. The police captain had also been transferred. What was Surinder's reputation before his?

Lalaji's grandson had died. His family had been ruined. What would Lalaji gain even if Pala and Meeta were punished ? Why would Lalaji pay the government lawyer?

The accused had nothing to give. As it is, they were innocent. If there was some one to back them, why would they be entangled in this case? Wouldn't they have paid money and bought their freedom?

This left only the investigator. It was rare for an investigator to pay from his own pocket to get some work done. Naazar was a rare breed. He had already spent a couple of hundred from his own pocket. He had proved that he was a generous man. Surinder's experience was that a policeman on a bad posting, does not spend even a paisa from his own pocket. Surinder had personally observed the pitiable condition of thanedars at the Police Training College, at Phillaur. Thanedars who would not even step out of a car, walked from the college to the bus stop to save three rupees. Hawaldars who turned up their noses at the best of whiskey, would avoid drinking even a cup of tea costing sixty paisa only. Naazar was in a similar situation, these days.

If the challan was not put up before the court within the next five days, then not only the police, but Surinder would also be in trouble. Naazar must have written his daily report in his diary, and also in his file, and that would prove that he was not at fault. The onus of not presenting the case before the court would be on Surinder. If the government lawyer does not check the report, then how could Naazar complete the investigation?

On this count the D.A. was bad. He did not support his associates when they used such delaying tactics. He may ignore the adverse reports against them, but he gave due importance to police officers. If a high police officer were to say that a lawyer is not cooperating, he would at once change the charge of that government lawyer.

It was in his own interest to keep the police officers happy. This district had been given to him after a great deal of politicking. Why should he jeopardize his own chair for the sake of a subordinate? He keeps the police officers happy, and gets them to do things for him, and fulfill his demands. This helps him in establishing his own leadership. He keeps everyone happy, obliges them, visiting their thana, drinking with hawaldars. Surinder was hesitant about going to the

thanas frequently. But, the district attorney, being the master of the district, had no such hesitation.

If your boss holds this opinion, then, even a sensible officer like Surinder must recognize that the situation is delicate. It was his duty to ward off any protest that may be made against him, and help defuse the situation which was becoming explosive.

The best course of action, now, was to check the file and make Naazar happy.

This was an extremely complicated case. There was not a single eye-witness in the entire case. The case was based only on circumstantial evidence. One had to weave one strand with another, rather skillfully, so that there could be no doubt left about the guilt of the accused.

There were only a few documents with the report. There was one M.I.R., which had been written some four months earlier. That was also about Bunty's kidnapping. There were the ransome notes, written by the accused. Specimens of the handwriting of one accused. There was also a report of an handwriting expert in which he had confirmed that Pala, had written the ransome notes. The postmortem report was there. The fingerprints lifted from the site where the corpse had been found. The report of an expert authenticating the fingerprints as those of Pala and Meeta was attached. Moulds of footprints found at the site were also there. Then, another expert's report certifying that the footprints were of the *jooties*, Pala had been wearing at the time of his arrest. And, at the end, was the statement by the two accused, given in the presence of a magistrate, confessing their crime.

Where was the conspiracy to abduct the child planned? Who took the child, from where, and where was he hidden? Where were the letters written? Who threw the letters? Where did the letterpad come from? From where were the utensils bought? Where was the child killed? Who brought the corpse here? From where were the weapons used in the crime brought? Where have they disappeared? Where are they now? The report was silent on all these crucial issues.

For a moment, Surinder thought of sending the report ahead in the form it was given to him. No single party had observed the customary courtesies, usual in such cases, and which were his due. But, when the accused would be released for want of evidence, then Lalaji would shed copious tears.

Thinking about it seriously, Surinder recollected many such cases where he had really ruined the plaintiff, merely for similar reasons.

In the *Shahne de Sadhanwala* murder case, the plaintiff's lawyer had given him wrong advice. The lawyer had a problem with Surinder over commission. According to the practice of the court, Surinder was ready to give one-third, but he wanted half. Surinder had sent this party to the lawyer himself. He wanted half because of that. When this was not forthcoming, the lawyer advised the party not to give anything to the government advocate, as he was a small fry. He did not matter and cannot do much. The real work would be done by the government lawyer at the session court. Therefore, why pay him more?

Surinder was also very clever. He had already fixed upon the point on which the accused could go scot free.

In the report it had been mentioned that the murdered man had been beaten with a heavy crowbar. Even the eyewitness had confirmed this.

The postmortem report, however, said something opposite. It stated that death had been due to strangulation. The dead man had injuries, but they were minor.

The accused would have been punished, if the statements of the eye witnesses and the medical report had been in consonance.

Surinder had already noticed the loophole, and he sent for the plaintiffs. He kept the report under wraps for two weeks. Had the complainants talked to him, he would have got the doctor to change the medical report. But, as their lawyer had already tutored them, the plaintiffs had kept their fists closed. Surinder also did not do anything. He did not even let the investigating officer know that there was such a big contradiction in the medical report.

He had not got any money from the defendents also, but he was happy at the defeat he had inflicted on the plaintiffs.

Had it been an ordinary case, Surinder would have used the same tactics in this case also. But, the case file had been sent to the chief minister many times. No one knew how many times it would be sent there again. Even the smallest negligence on his part may prove dangerous. Surinder could not overlook the danger that could befall him, by merely turning his face away from it.

He had been given an opportunity to prove his ability. He should prepare his report in such a way that the higher officers should be full of praise for him.

He read the report thoroughly. Tallied the statements. Compared the experts' reports with the statements. The fingerprints, handwriting and reports of the experts, were all compared.

Things were fine as far as this went. But, unless a connection is properly established between various points in the whole tragedy, the accused could not even be charged with the crime.

Had some money been put in his pocket, his brain would have then worked at full speed to seek a solution. But, under these conditions, he did not feel like even lifting his pen without any compensation, let alone use his mind.

It was the last week of the month. He was usually short of money at this time of the month. His salary of three thousand was gone within the first week. A thousand went in rent, seven hundred in groceries, milk took care of five hundred, and four hundred was for tuitions. Rest was for the dhobi, the sweeper and other sundries. To cover the expenses of the remaining days, Surinder had to look to the thanedars and the lawyers.

Had he been given a few hundreds, he would have been happy. But, he was helpless and would have to be patient.

He lit a cigarette to help him think. Drawing deeply on the cigarette, he turned over the various facts of the cases in his mind.

‘Naazar Singh, I don’t see anything in this case. Tell me the truth, do you really want it to go to the court?’

‘What are you saying, sir? Every investigator wants his case to succeed. And, then there are chances of getting a promotion in this case.’

‘Then, listen. Set up a line of actual and false eyewitnesses to support the evidence in the case, only then can we get through.’

‘We shall do as you say.’

‘Wouldn’t it be good if we can show another arrest? The C.B.I. do it this way. First, they get some one reliable from their own ranks arrested, then they turn him into state evidence. And, it is on his evidence, that the other accused are convicted.’

‘What did we know at that time, sir? As it is, a molehill has been turned into a mountain. We had thought that with their arrests, people’s anger would die out. After that, whether the accused are convicted or let off, what do we care?’

‘Hoon...’ Surinder was preoccupied with inventing a story.

‘What had to happen has happened. Now, we have to sail in this boat.’

Naazar waited for some time, then, he again tried to draw Surinder’s attention, who still seemed very far away.

‘I am thinking about that only... we can do this. We can begin the story from the conspiracy. Put up some witnesses, some tea vendor, who would say that Pala and Meeta hatched the plot sitting in his shop. In this case, the conspiracy must be proved. Look for some cartvendor also, who plies his trade in front of Bunty’s school. He should be the one to identify both Bunty and kidnappers. He should say that usually it was Bunty’s grandfather who escorted Bunty to and fro to school. But on this day Pala and Meeta had come to fetch him. During the schoolbreak, both of them had eaten some *gajak* and had also given some to Bunty. Then, the three of them had taken a rickshaw and left.

‘We would, then, also need a rickshaw wallah, who would testify that he has been plying a rickshaw for the last ten years. The day of the kidnapping, Pala and Meeta had hired him. Bunty was also with them. He had taken them up to *Dhankian ki Basti*, where they had got down. This way, we will prove the kidnapping. Understood?’

‘Yes, Janab,’ Naazar answered.

‘Then catch hold of an old woman, who lives alone, and has no one to call her own. She will say that the accused brought the child to her home after kidnapping him. They had threatened her with a knife, and had warned her against raising an alarm. Show that Bunty was held at her home for a few days. Also, write that she had bought the groceries and other necessities from a neighbourhood shop.

‘Show that the old woman bought toffees and biscuits etc from a shop in the area where she is living...’

‘They took the child away without telling her, on the night of the murder. When she heard of their arrest, she had immediately given her statement to the police. This would cover up the delay in writing the statement.

‘The woman’s and the shopkeeper’s statements would prove the illegal detention of the child. Is it clear?’

‘Very clear!’ Naazar answered the way a child does, when he is listening to a story being related by his grandmother.

‘Also, show the recovery of a crowbar. It must have bloodstains. Then, get it identified by the woman. What purpose would that serve?’

‘The murder with that weapon would be proved.’

‘Well done! Shabash!’

‘Look up the chowkidar of the hospital, and the guard of the mohalla. The mohalla guard should say – that the day the corpse was found, he had seen the accused going towards the hospital in a furtive manner. One of them carried a sack which had something in it. He had stopped them, but had not looked into the sack. They had then gone towards the hospital with the sack.

‘The hospital watchman would say that he had seen them emerging from the hospital, but they were not carrying anything. He had a scuffle with them. In this, one of them had dropped his wallet. The other’s turban had fallen off. The turban had the mark of the dyer who had dyed the turban. Get a dyer to testify that the turban belongs to Meeta.’

‘This way, Pala and Meeta would be identified, and we will also prove that the body had been thrown in the hospital.’ The excited thanedar explained the purpose of this explanation without the government lawyer asking him.

‘When the corpse was recovered, it was naked. Take advantage of this. Get Bunty’s uniform from Lalaji. Put some blood stains on it. Then, show its recovery at the indication of one of the guilty.

‘If Lalaji is agreeable, then get a statement from an owner of a printing press. He will testify that the letterpad had been printed by him, under threats by the accused.

‘Also get a shopkeeper selling utensils to show a sale of the measuring vessel to the accused.

‘If you do all this.. the case would sail through.’

Surinder’s advice was very good, but it was not easy to get all this done.

The first difficulty Naazar faced was the long list of false witnesses. Had it been a case involving a Jat, he would have presented all his relatives as witness. But, this was not possible with Lalaji.

Naazar would have problem talking about it with Lalaji. If he were to find out that the police is cooking up a story like this, he would even refuse to give his true statement.

Who would locate the cart vendor, and the rickshaw puller? There was a long list of reliable witnesses who are always willing to come before the court at the behest of the police. They are good, and are capable of giving the most

credible evidence. Naazar made up his mind that he would choose two persons from that list as a cart vendor and the rickshaw puller. There was no need to ask the gardener, watchman and the guard. He himself would write their statements. When they come to the court he would tutor them.

The trouble would be the printing press and utensil seller. No tout could be put up in their place. He would have to talk to Ram Swaroop and Darshan Lal, of *Yuva Sangh*. They would surely be able to get some men for this purpose. Naazar would give them instructions. Even if one has to lie in order to get justice, then, it is close to truth.

Naazar could manage all this, but it was not possible for him to get the confessional statements in the presence of the magistrate altered.

Surinder wanted to laugh at Naazar's foolishness. It was not difficult to get such a statement changed by the judge.

Had the case been before Surinder Kumar's judge, then he would have got it altered in no time. He had very cordial relations with his judge. The judge was a gentleman. The first day Surinder had joined, he had invited him to his chamber, and talked over the arrangements with him.

'Whichever accused I want to set free, I'll tell you. The ones you want to be set free, you let me know. The accused that are to be released, get their statements written by the reader. The ones who are to be convicted, get their statements written by the steno. I'll also do the same, and you will know which way the wind is blowing.'

Since that day they had been getting along famously.

Surinder knew that this judge was also like the other judge. In fact, he was two steps ahead of Surinder's judge. In a case which involved any hanky-panky, he would himself write the evidence. And while writing, he would include all the facts which would go in the favour of the party concerned. He would delete the facts that would in any way, go against the party. No one could doubt the statement which a judge had himself written. Such statements even the Supreme Court accepts. This way, the judge would help the party to win the case.

If Surinder wanted, he could have easily got the judge to make the necessary changes in the statement. Obviously, the one who will get hurt would pay him. It was the investigator's duty to coax the judge, not that of the government lawyer.

Naazar was also thinking on the same lines.

This was the duty of the chief. It is he who must get it done. If Naazar were to plead before the magistrate, that would also serve the purpose, but he would have then obliged Naazar. He would, then, immediately, make some demand or the other. Whom will Naazar turn to get this demand met?

The work was difficult. It would not be done even at the asking of the chief. The request must be made by the deputy. The deputy was a good friend of the magistrate. He could get him to write whatever he wanted.

All the witnesses in the Kalekawale police encounter, had gone back on their statements. Even those hawaldars who had been beaten with shoes by the accused, and the constables whose shirts had been torn, could not stand by their

own statements. When the deputy realized that the accused would be let off, he had immediately gone to the judge in his retiring room. If that rascal is let free, then, the reputation of the police would be suffer badly. Any and every scoundrel would then try to defy the police officers. The deputy kept sitting in the judge's chamber, till the judge had not handed down conviction of three years each, to all the accused.

Last month, a boy from America had come on a visit to Punjab. He took hold of his uncle's gun, and had gone visiting relatives. The poor boy was unaware that these days even the smallest thing was banned in Punjab. The freedom that had prevailed earlier, no longer prevailed.

At one barrier, he was arrested by the police.

They were about to issue a warrant for keeping arms illegally.

The boy pleaded with them not to do so. He belonged to a well-to-do family, and was an engineer in America. Any warrant against him would ruin his career. That he came from a good family, and was here on a visit from America, was a point which went in his favour. They should get good money. The police was adamant.

They took all the dollars that he had brought with him from America, and then took steps to help him. His uncle was summoned from the village. The boy was then shown to be sitting at on the back. He was kept out of the law on terrorism. He was made guilty only of a small offence under section 188.

He was kept at the thana for four hours. The boy was badly shaken. He had come home on a two months' trip, but was now impatient to go back. He would get up screaming at night. How could one trust the police here, they may implicate him in a murder, this way.

As long as the case was going on, he could not leave the country. When he came to know this, he was more upset. This was India, where even the most trivial case could go on for years. Once he is free to go, leave the state, he would never set foot in this country, again.

His parents were worried at the mental stress he was under, and they met the deputy. They paid for the guarantee for the boy to go back to America peacefully. The deputy, after he had taken the money, showed them the easy way out. The boy should plead guilty. The deputy would see that the judge will only admonish him. He would also see that the report is destroyed. The boy's record would be as clean as it had been earlier.

As long as the work was not done, the deputy took the file in his personal custody. He had also come to Surinder.

'He is related to me. You must help him. Take this for some petrol for your scooter.' With this, the deputy had put five hundred rupees in his pocket. Overwhelmed, Surinder could not refuse.

It was he who had talked to the judge, and set the arrangement in place.

Till the boy had reached America, the file was kept at the judge's residence. Even the decision was written after he had left for America. Nothing was left to chance for anyone to complain against the boy.

The deputy, who could get a judge to hand down a judgment he does not personally like, it is easy for him to get him to change the statement. It was, also, not a personal work of anyone involved.

It was the deputy's duty to take a keen interest in such cases.

Surinder's advice had appealed to Naazar. He was needlessly annoyed with Surinder. He was a useful man, and, also, very intelligent.

Naazar collected the papers, and put them into his bag. Taking out another hundred rupee note from his wallet, and along with the one he had taken from his pocket earlier, he gave them to Surinder Kumar.

'Let it be.. had I given this advice to a private party, I would have taken five thousand from them. You can see how the government picks our brains for free!' Surinder remarked as he pretended to push the notes towards Naazar.

'Don't embarrass me more. I have spent plenty. More would have to be spent', Naazar said, bending towards Surinder as though he was about to touch his knees.

'Fine... then do this. Pay the bill of some canteen... There are many running after you, wanting to spend money.'

When Naazar had put the notes in Surinder's pocket, he tried to wangle another favour out of him.

'Take this Clear the bill yourself,' Naazar replied giving another fifty to him.

Both were happy.

Naazar, as he had been able to get off with fifty rupees. Who could say the bill may have run to three or five hundred!

Surinder was happy because Naazar was happy. Now, there was no possibility of a complaint against him. Also, he had been able to extract an extra fifty from him!

Three

The scheduled time for the arrival of the clerical staff of the court, in the morning was nine o'clock. In contrast to other offices, the employees of this office are in their seats much before nine. They believe that those who are early, benefit the most.

Major Singh was the leader of the group which came in early.

Naazar had, however, beaten him to it, today. He was already waiting for him at his table, when Major walked in.

When he saw the thick file in Naazar's hand, Major's face glowed with happiness. He immediately recollected that it was the last day for the presentation of the challan in the Bunty murder case. A case of murder, and that also, the last day! Which means, he would get to see blue currency notes today!

Major would be the first one to deal with this file. He had to attach the F.I.R., the remand papers, bail papers, and the various other applications to the challan, and thoroughly go over the whole report. Are all papers listed by the police in the file present in the file or no?

If they are, then, are they in proper format? As long as the court clerk does not give the go-ahead signal, the judge would not accept the case.

For this go-ahead signal, Major's fee was fixed. If the file has all the papers, and in their proper format, then fee for an ordinary case is twenty rupees, and, if the case has to go to the sessions, then the fee is fifty. The investigator doesn't pay from his own pocket. He only has to tell the complainant, who comes with him. If the challan is presented on the last day, then there is an emergency fee, which is four times more than the usual fee.

That was the reason why he gave Naazar a warm welcome.

Naazar Singh got up to present a chair to Major Singh, though it was not necessary for a thanedar to stand up for a court clerk.

'Come, Naazar Singh, you seem to be in some difficulty, that you have come so early!' Major Singh tested Naazar Singh, as he put away his lunch box in the drawer of his table, and made himself comfortable in his chair.

'Yes, *chotte bhai*, the Bunty murder case has to be presented today.' Naazar said, arranging the papers in his hand, and explaining the purpose of his visit, hinting subtly, that in this case, there can be no earning, and Major should not nurture any hopes.

Major understood the hint. He began looking into a couple of files, to show how busy he was. Attached one paper to one file, and took out a paper from another.

It was the time for various parties to come to the court. Major Singh wanted that Naazar Singh should tell him whatever he had to say, and then leave. Many parties would be scared if they see a police officer sitting at his table. The orderly had come. If he stops the parties, then, he would walk away with more than half himself.

The thanedar also, was in a hurry. He was waiting for Major to be free. He did not want to loiter here, with his own complaint at a time when the clerk was waiting for his first earning of the day.

'Would you like tea or cold? Where is your orderly?' The thanedar asked him, wanting to show his hospitality.

'No, nothing. I have just had my meal.' Throwing a glance at the file in Naazar's hand, he again busied himself with the papers on his table.

'Why should I ask him? He would himself offer me the fee.'

Major began preparing the list of cases where the accused or their challans, had to be brought before the court. He was more concerned about cases where no advocate had yet presented himself. The second category was of the cases where the advocates were, either new or not good. Such lawyers somehow get the briefs, but cannot keep to the case for any length of time. As soon as the defendant comes to understand the judicial process, he changes his lawyer. Major wanted to identify these possibilities.

There was a dearth of criminal lawyers in the town, and the few that were, Major knew all of them. He would provide detail of such cases to them. The party would have to go to one of these. Whosoever gets the case, Major's share is assured.

After having prepared the list, Major was about to get up, when the thanedar stopped him.

Before he put the file on the table, he took out a note from his pocket, folded it and put it in his Major's hand.

Initially Major did not object,. He thought it was a hundred rupee note. But, when he looked at it cursorily he saw it was merely twenty rupees. He was furious. The thanedar had made a fool of the clerk!

'Keep this yourself. Only a twenty for a murder case?' He handed the note back, showing his annoyance.

'All right, younger brother. You fully well know I haven't been to the thana for over two and a half months. It are the plaintiffs who spend, not police employees. In this case, I am everything. I am giving the money from my own pocket, because of the regard that I have for you, not as your fee.' Naazar pleaded with him.

Naazar had won the bigger battle, only a small skirmish was left. Once the challan is presented, then he could breathe easy.

'Where you have spent so much, spend a little more, and take out a blue note and then see what can Major do for you! I will see that you are free within an hour!' Major did not want to spoil his own mood early in the morning and also, wanted to make up.

'I have always been fair. When I have a party in hand , then I see to it that they should pay you more. Did I not get you fifty instead of ten in case of liquor admission case? And also a bottle of liquor!'

Sometime back, Naazar had got hold of a good party, and had made them give fifty to Major. He had done this with the idea that this would help him later, and the clerk would be helpful in another case.

Now, Naazar was reminding him of that incident, and also, regretting it. The boss is right, when he says that first, we spoil them by giving them more money than we should, and when they get used to it, they bite the hand that feeds.

It would have been better had Naazar left this worm be!

'You had not done me any favour, Sardarji! You had arrested one man, and had got another man to confess to the crime. It was my goodness that I did not bring this to the notice of the judge sahib. Or else, you would have been dismissed, and charged under section 420.'

Major was no less. He had wanted to impress upon Naazar that the shoe was on the other foot.

If investigators have a network of informers, then, Major Singh was one step ahead. He used the *thana's* naib-court, the assistant assigned to the court, to worm out the secretes of the police.

The first task of the *naib*-court as soon as he came to the court, was to hand over his diary to Major. He had to inform him about the names of the parties to be produced for remands, challans and pleas of guilty, and also tell him how important each party was, and what could be extracted from each party. It was on the basis of this information, that Major would decide his fee.

It was Naazar himself who had told Major the facts of this case. The real culprit was the nephew of the owners of the cotton mill. Ashamed of his act, he had been absconding since that day. His family did not want his name or signature to appear on the court records. The uncle had sent one of his servants, in place of his nephew.

The court clerk had taken a fat fee for this substitution of the culprit. The assistant had got only fifty rupees.

Naazar's first attempt had missed the target. Now, he tried another trick.

'Let that be. I got you two hundred in the Bimla rape case. There was no substitution of culprits in that case.'

'There was enough hanky-panky in the case also. You had declared the real culprit to be innocent, and put his name in the second column. Right from the beginning, the plaintiff was insisting on an enquiry by higher officials, and getting the real culprit arrested. You people had frightened the guilty party and taken a thousand rupees from him to produce the challan sooner. You had already taken your fee, that thousand was ours, the officials of this court. You had done no favour to us, by getting us two hundred. On the other hand, you took eight hundred that belonged to us!'

Major had not conceded ground in this case also. The lawyer of the accused had given him all details of who had been given what.

Now, Naazar was upset.

'Here, take ten more... I only have this... don't refuse..' Naazar took another note and showed him his empty pocket.

'If you are really bankrupt, then, here take this. You will need it. I'll do your work free... go... first go to Sahib, and let him put his mark on the file. He will issue an order in my name.' Major tried to get rid of Naazar, as it was almost nine-thirty.

By now a few *munshis* had already signaled to him. He had also received a few messages from a few lawyers. If he keeps sparring with Naazar Singh in this manner, then his whole day would go waste.

In the case of the will of advocate Chahal, summons had been served. If they were attached to the file, the witnesses would have to be brought before the judge. If a new date was to be requested, then the judge would be annoyed. The witnesses were not yet ready. The best course of action was not to show the compliance of summons. If they are not in the file, the judge would have to give another date. Summons would only be served when a deal has been struck with Major. If he is delayed by a couple of minutes, then the file would be on the judge's table. Once it is on his table, Major would lose control over the case. Chahal must be contacted immediately.

Mohanji did not want to begin arguments yet in Bhatti's case. The party had not yet talked to the judge. To begin arguments without talking to him, could be dangerous. Only Major could find a solution to this. He had once removed a case from the list for hearing on that day itself. They got a new date in the evening. Major had great hopes of earning a tidy sum in this case also.

Today, Major wanted to collect as much as he could. He was badly in need of money. He had two instalments to pay.

The first instalment was for the plot of land, which he had to pay today. He needed ten thousand for this three-monthly instalment. The second instalment was for the *Bhaicharak* lottery, which would be declared on Sunday. He needed one thousand for that.

Major also had bought a plot of land, following the lead of the steno and the reader of the court. The prices of their plots had risen two times over a period of two years. The steno had bought two plots. Out of the profit made from one, he had built a house on the other. The reader had earned more than double and invested it in a truck, with another partner.

The steno had become the owner of a bungalow, and the reader was known as a transporter.

The steno had a direct rapport with the judge. Whatever party he would take to the judge, his share in the deal was assured. That money he saved for his instalments.

The reader's wife was a teacher. Her salary was used to pay the instalment. Neither did Major have a good rapport with the judge, nor was his wife working. He had to collect money in this way.

Naazar was bent on not understanding his problems.

'That I'll get done. But, at least you look at it. He would still take an hour to arrive.' The thanedar pleaded, as he again put the notes in the clerks pocket.

'I have plenty of other work. You get the orders from him. I'll not take much time to check the file. I'll also take out the papers. You go and wait in front of the retiring room. Once he goes upstairs, you would keep waiting till one o'clock.'

It was his first earning of the day. Major did not think it proper to return the money. Once he returns this money, who knows the whole day may turn out to be a bad day for earning. Major would do what he wanted to. As long as he is not paid his full fee, he would not budge.

After sending Naazar away, the clerk now began thinking of the various excuses he could use to avoid the production of the challan before the judge.

Major was well aware that two days back, the thana people had obeyed a request of the magistrate. It was no small request, either. They had got two new tyres for his car. The magistrate was bound to be lenient with them.

The magistrate had been very clever. He had sent for all papers concerning this case at his residence. But, Major also had an eagle's eye. He had caught on at once. He had already got photocopies of all the papers. If a paper was changed, that would go in his favour. First, the responsibility of any change would be of the judge's. Second, if anyone were to doubt the clerk, then he would have all the original papers to prove his own innocence. Third, if the need arises, he could sell these papers to the defense lawyer. The defendant would certainly be released on the basis of these papers.

Major's guess was right. When the papers came back to him after two days, then, the statement of the culprits admitting their guilt, was drastically changed.

It was this favour which had been paid for in the form of tyres.

The thanedar was not lying. He had himself delivered the tyres.

Major had to talk to the judge before he gives an order to the thanedar.

As soon as the judge went into the retiring room, Major followed him with the excuse of getting his signatures. While the judge signed the various files, Major explained the purpose of thanedar's visit.

The thanedar had come with the murder case. There were two accused, but only one set of papers. Even, that one set was incomplete.

The clerk reminded the judge of a case which had been hotly discussed for many days, because of incomplete papers. In that case, the copies of the statements of witnesses had been given, but no copies of the records had been presented. Even the challan had been presented in the absence of the accused. If the challan is presented in the presence of the accused or his lawyer, then there is no problem. The judge does not accept the challan till the lawyer does not say that the papers are complete. In that case, the accused was a salesman. The record included cash books, bill books, stock register and many other things. Had the accused got all the papers photocopied, then the bill of the photocopier would have been more than the lawyer's fee. First, the police chief presented the challan, saying that the remaining copies would be presented within three days. They did not find the accused at first, and, when he was produced, the old police chief had been transferred. The new officer appointed many investigators. Get the papers photocopied. But every investigator avoided getting that done. Why should he pay from his pocket, when another had taken the money? When the matter was about to reach the session judge, then, the court clerk had to get the papers photo copied, and had to pay from his own pocket.

This same would happen in this case also. Either they should submit all the papers, or, they should be told to give an undertaking in writing that all the photocopies would be submitted.

Major had continued his lecturing till the judge agreed with him.

When Major emerged from the room, Naazar immediately went in, and saluted.

The magistrate offered him a chair to sit. Asked him if would have some tea, or a cold drink. Then, he refused to accept the challan in the absence of the accused. It would be better if Naazar should delay the presentation for another couple of days.

When Naazar informed him that the period of ninety days would expire today, the judge, then put forth another suggestion. It is only ten in the morning now. He should take the production warrant for the accused, and send for the accused.

Naazar did not agree to this. This would take the whole day, and Naazar was alone. The whole process of getting the challan checked to getting the

papers photocopied had to be completed, Naazar had neither a vehicle nor guards to fetch the accused.

If Naazar could not do anything, then, at least, he should complete the files. Like the thanedar, the judge was also a public servant. He also worked under certain constraints. The police implores and pleads at the beginning, and presents the challan, but later, they forget every thing. They do not respond even if numerous messages are sent. The accused is out on bail, yet he takes the challan. If there are a few hearings less or more, would not make much difference. No one knows anything about which lawyer they are going to hire. Had they hired a good lawyer, the judge would have explained things to him. Take two hundred for getting the photocopies and checking the file, and to get the photocopies for fifty, and pocket the rest. Were the accused rich, the judge would have admitted the challan even then. A culprit who is rich, thinks it is better to spend money, rather than waste time in attending the court, time and again. Now, when the defendant is invisible, and nothing was known about the lawyer, then what could the judge do?

This case was to be supervised by the sessions judge. A full account of each extra hearing had to be given there. The session judge would ask him for clarification. Why should the accused suffer more punishment because of the negligence of the magistrate?

Both the parties were right, from their point of view. Then how would the problem be solved?

The judge was in a dilemma. He was ashamed of the favour he had taken. Even legally, he could not return the challan. If the challan is returned and the accused get bail, then, the case would become a noose round the judge's neck, rather than the police, and he may find it difficult to extricate himself from it.

Finally, a solution was found. The clerk was sent for. He was ordered to check the papers thoroughly.

He was also given the responsibility to see that all that photocopies are supplied.

This decision was acceptable to both.

To Naazar, because he had already given Major his fee. He would see to it there is no loophole left.

Major accepted the decision because this put the thanedar under his thumb. Either he would spend two hundred to get the documents photocopied, or give seventy rupees to Major.

Four

Naazar had been waiting for his turn for the last two hours. The clerk had not yet called him.

In this period, many had come and gone, with their work having been done. A couple of constables and hawaldars had also got their challans approved. Whenever Naazar had tried to catch his eye, he had avoided him. But one who is trapped in a bad situation cannot do much. He sat there, watching the goings on, mutely.

Whenever Major was free, he busied himself in doing some trivial work.

He had picked up a bundle of files, opened each one of them, arranging the papers in them properly, and, then, again tied the bundle. Then, he opened another bundle, and went through the same routine.

He then busied himself in writing a summons very carefully. He took about three minutes in writing one summons, whereas his usual speed was of writing three summons in one minute.

This clearly meant that Major Singh was not going to do his work.

In an attempt to confirm his suspicion, he asked Major out right – ‘will my turn come or no?’

‘Why wouldn’t it come? I am not sitting idle. I am attending to my official duties.’ Major Singh was as harsh in his tone as the thanedar had been.

‘Many came after me and have got their work done...’

‘They have given their full fee. You also do the same.’ Major did not want to keep the thanedar under any illusion. It was already twelve. The time of production of accused in summary cases had come. He wanted Naazar to leave here, so that he could begin collecting money.

The court assistant had also come this side a few times. He had a thick bundle of traffic challans in his hand. The shopkeepers and the factory people had not been deterred by the presence of a thanedar, and had talked to Major. But, the traffic challans are settled by the police. If any hanky-panky was done in the presence of the thanedar, then there was apprehension of its being reported. The deputy was very adamant. He would at once suspend the court assistant. He had suspended many thanedars, what was a mere constable?

This time when the *naib* court came this side, Naazar gave a slight cough. Major understood. Neither does he give himself, nor does he want anyone else to give me money. If Major doesn’t do his work, then he shouldn’t get any money from any one else!

They both were now in an obdurate mood. They began obstructing each other’s work.

Naazar did not leave his chair, but Major avoided a confrontation. If he can’t do anything here, then so be it. It would be done elsewhere, on the tables of the *munshis*, the booths of photocopiers and typists, or the rooms of the lawyers.

By the time Major had collected his fee from the various *munshis*, it was one o’clock.

When he came back to fetch his lunch box, Naazar had disappeared. Major heaved a sigh of relief.

He had hardly eaten one morsel when the court assistant appeared. He alerted Major. The thanedar was annoyed. Right now he was in the office of the government advocate, conspiring against Major.

The government lawyer was pouring oil on fire. He had suggested a raid on Major by the vigilance department. Major had crossed all limits. He was

not willing to do any work even for his own father without his cut, this was what the lawyer had said.

Naazar had not accepted this suggestion. It would have taken the whole day. The crux of the problem was presenting the challan before the evening.

When Naazar had turned this suggestion down, Surinder had come out with another idea.

‘We are not his servants that we should wait at his table the whole day. It is his duty to put forward the papers. If he can find the papers he should put them in the file, and if he cannot find them, then let him not put them in the file!’

‘You leave the challan here. I will myself present the challan. It is not the judge’s job to see that all the documents are in order or not. If the papers are not there, the culprits may be released. The judge has to see that the documents the police claims are in the file are there or no, that’s all.’

Naazar was silent even at this proposal.

Once burnt twice shy. He had once made the mistake of depending on another, and this negligence had cost him two years of service. Else he would have been a sub-inspector by now heading a police station of his own.

This had happened when he had just been promoted to a hawaldar.

The hawaldar, who had been posted there earlier had confiscated ten sacks of liquor from the liquor contractor, who did not have a permit. Had an employee been the accused, the contractor would have not bothered. But the case had been filed against his partner. It was a question of the prestige of all the liquor contractors in the district. They were all insisting on a cancellation of the case.

First, they got the excise inspector to change the record of his department. They, then, got him to file a report, that the liquor confiscated was permissible, and he himself had issued the permit. The case had been filed against the contractor, because he had refused to comply with the unreasonable demands made by the police.

The police captain got these allegations that by the contractor had made, investigated. Though, the allegations could not be proved, but the case was deferred for four months.

When the contractors could not achieve what they wanted this way, they then contacted the chemical examiner. He did not have enough spunk to interfere with the specimen, but he did suppress the report for some time. Naazar was given the file just a day before the expiry of the period for the production of the challan.

He got the challan approved by the government advocate after a great deal of persuasion and pleading, but when he had gone to fetch the accused, he discovered that he was away to Jammu.

To present the challan on the last day, without the accused being present, meant a huge blunder.

A judge of the High Court was to come for inspection those days. A fund was being collected to entertain him and his entourage. Whichever investigator came to the court, he was asked to contribute to the fund. Naazar had

just been promoted. He was still scared of accepting bribes. It was not possible for him to give a big donation.

The court clerk had extracted fifty rupees and assured him that he himself would get the judge's signature on his file. Naazar also accepted his word. And, leaving everything to the clerk, he went home.

A notice from the office of the police captain was a bolt from the blue. The culprit had been released, because of the hawaldar's negligence. Why was the challan not presented during the period granted? It was a show cause notice.

Naazar could not do anything else except curse himself. He cried before the clerk, who pleaded his helplessness. The contractor had approached the judge. It was the judge who had rejected the challan. That day Naazar had vowed never to leave the court till the clerk enters the challan in his register, before his eyes.

Bunty murder case was a well known case. He wanted a receipt in this case. That also bearing the signatures of the court clerk.

He was not even willing to hand over the challan to the government lawyer. Naazar would present the challan, and also get a receipt. He will also do whatever he could against Major.

Naazar did not want anyone's help to solve the problem he faced. Neither that of the vigilance, nor of the government advocate. Any action that he would take against the clerk, he would do it himself, on his own strength.

Naazar knew all of them through and through. They are all dead drunk in the the evening. If not in the cabin of some lawyer, then on the roadside. One may even be in the judge's retiring room in the company of a loose woman, and another may be gambling, at high stakes in the court room itself. Naazar is fully aware of all the places they hide in, for their immoral deeds. If Naazar wants, he could arrest the whole lot of them today itself. He was showing some consideration. They meet each other every day. What would the people say?

The agitated thanedar would take some action this evening.

What the court assistant had heard, he had related to Major *in toto*. Now, it was upto Major to decide what he wants to do.

The assistant had advised him not to stretch the matter any further. Naazar was not a bad man. This case had really made him penniless. The assistant was willing to stand guarantee for him. As soon as he got to handle some other investigation, Naazar would himself give a hundred rupee note to Major.

The clerk did not accept the assistant's advice. First, Surinder had taken about eight hundred from him. Then, the D.A. had made a request which had been met. Now, when it is his turn, why should he plead lack of money?

The court assistant had himself just told him that Naazar had waited in the D.A.'s office for three days with this challan. The D.A. had wanted Naazar to broach the question of his fee. It is not proper for a man to his rank to talk about his own fee. Naazar was reluctant to do so.

When, Naazar had finally succumbed, the D.A. had then come with his bombshell.

The forensic laboratory people had made a very big mistake, while giving their opinion on the fingerprints. If this is not immediately corrected, the accused would then be released.

The experts had lifted some fingerprints from the place where Bunty's body had been found. These fingerprints should have been sent to the lab immediately. When the accused had been arrested, then their fingerprints should also have been sent to the laboratory, to be matched with the prints lifted earlier, to verify that these prints were of the same people whose prints had been found at the spot.

No one knew whose prints had been lifted from that area. When the plan for arresting Pala and Meeta had been drawn up, their fingerprints had also been taken. Then, these fingerprints had been sent to the laboratory, to replace the earlier fingerprints, in the custody of a reliable officer.

Their fingerprints were again taken in the presence of an officiating magistrate, in accordance with the procedure, and sent to the forensic laboratory to be compared with the earlier prints.

The lab people had replaced the prints. They had written a report as the police had wanted. But there was a column in the form, in which the date when the prints had been lifted and sent to the laboratory, had to be entered. By mistake, the date when the earlier fingerprints had been exchanged with the new fingerprints had been entered. This was a proof that the fingerprints lifted from the site where the body was recovered, were sent to the laboratory on two different dates. Once, when the corpse had been recovered, and, second, on the day which had been mentioned in the report. This discrepancy was enough to queer the pitch for the police.

The report had to be corrected. The earlier date had to be entered in place of the one mentioned in the report.

It was not a big thing to get a new report from the laboratory.

The problem, however, was lack of time. It was four in the evening. Getting a new report meant going to Chandigarh, and to fetch the clerks from their homes, getting the officer to sign the new report and to report back in time, was an impossible time.

The D.A. should approve the challan the way it was. Naazar would present it in its present form. Later on, he would go to Chandigarh and get a new report, and replace the old report.

This was a sin, a crime. Why should D.A. be a party to this? If he has to bear the burden of a crime, then his problem must be solved. Summer is fast approaching. He needed a cooler. That must be arranged.

The demand for a cooler brought tears to Naazar's eyes. He expressed his helplessness, hoping to be left off the hook, but the D.A. took out his diary. He recited the figures of what amount which thanedar had taken from which person, while investigating the case. A cooler's cost would not even be 1/100th of that amount.

Naazar had fulfilled the demand by paying the cost of a Khaitan ceiling fan.

Whatever the court assistant may say, Major had no sympathy for the thanedar.

What to say about Naazar, the court official was not even afraid of the government lawyer.

‘I am not scared of any government advocate. Has he himself done any work without taking his fee? These last two days he has been on a drinking binge. Then he has asked for cash. He is jealous of our fee!’

A government advocate with this tarnished reputation cannot pick a quarrel with Major.

Major was, however, now on his guard. He was now willing to deal with Naazar in a proper manner.

It happened the way the court assistant had said. When he came back, the thanedar tried to assert himself.

‘Here is the file, report the way you want. I have to send a report to the S.P.’ Saying this, Naazar flung the file on his table.

‘How many accused in this case?’

‘Two.’

‘How many sets of documents?’

‘One.’

‘Bring two sets. I’ll put up the report.’ Major was unaffected by Naazar’s threat. He pushed the file towards the thanedar with great humility.

‘The two accused have only one lawyer. One set will do for them both.’

‘Then you get this in writing from their lawyer.’

‘I am not going to beg any lawyer!’

‘Then beg us!’ Sarcasm dripped from Major’s tongue.

‘You *babus* are not worried about anyone! You have forgotten those days when you use to follow me about like a lamb. If I want, I can arrest you immediately. What crime are you not guilty of? Files are given to the lawyer! Copies of all confidential papers are passed on to the other parties. You alter wills, promissory notes and records. You deliberately spoil cases.’

Naazar’s anger was mounting, and his voice had risen. Hearing his high tone, the clerks on the adjoining tables left their seats, and crowded around them.

‘As though you people are all clean and pure! The whole day long you stand on our heads, asking us to change this or that report, wanting this statement to be replaced, or that section to be altered, or one site plan substituted for another. If we were not to cooperate with you, then all of you would be sitting at home in no time. Tell me, won’t you change anything in this case? Tomorrow, you would be back, asking to change the report of the forensic lab!’

Naazar’s attack on the court clerk was enough to make the court clerk of criminal side, Satish Kumar, to lose his temper. He also rebuked Naazar.

One by one, the whole staff expressed annoyance at Naazar. Had Naazar some time to spare, he would have gone to the police station filed a case of corruption against the clerk, and would have arrested him in the presence of the

whole court staff. This would have taught him a bitter lesson. Whatever the consequences, Naazar was willing to face them. But he could not bear to be insulted by a petty clerk!

Naazar, however, could only complain at this time.

The judge had already retired to his chamber, after having finished his work. He was dictating a judgement to his steno. The peon was posted at the door, not letting anyone enter as long as the order was being dictated. But, a furious Naazar disregarded everything. He went in like a whirlwind.

‘This is the limit, sir. The clerk has taken money, but is not willing to do the work. He has already taken thirty, but demands seventy more.’

Naazar had even forgotten all police rules in his anger. He burst out with his complains, without even observing the propriety of saluting the judge.

‘I know how honest the police are, like Raja Harishchandra! This is like the pot calling the kettle black!’

The magistrate’s remark was rude. He was not being partial to Major, but was annoyed with Naazar’s breaking into the room, without seeking his permission. Even if one were to overlook this lapse, he should have at least addressed him properly.

Naazar’s was further agitated at the reprimand he had received at the judge’s hand. He wanted to tell the judge, who had called the police dishonest, to first look at his own self. Was he a Raja Harishchandra when he had demanded the tyres?

Naazar’s anger was getting out of control. He wanted to repeat what had happened a decade, or about twelve years back. He had been posted at Sonaam at that time. Tota Ram was the judge there, a very hard task master. If a thandedar failed to appear after having received the summons, he would impose a fine for non-appearance. This fine would not be recovered immediately, in cash. He would write to the police captain to recover the fine. The idea was to let the captain know about the negligence of the police officer.

He posed to be an honest man. But he was very frank with Naazar. Naazar had proved to be very useful to him, at times.

Once, a warrant had also been issued for Naazar. He had to appear in the court that day, but the chief minister was in town on a tour. He had failed to attend the court, as he had been on V.I.P. duty.

A day earlier, he had been called to the judge’s residence. The office superintendent of sessions judge was also present.

The superintendent’s daughter was getting married on Sunday. The judge wanted a tin of ghee to be delivered to the superintendent’s, for the occasion.

Naazar had delivered the tin, happily.

Next day, Tota Ram would not look Naazar in the eye. Naazar felt that he judge was right. He didn’t want others to think that he was favouring Naazar.

Naazar was also issued a notice for his non-appearance. Naazar still had hopes that the notice would be dismissed by the judge, after the

clarification he had given in the court. This way, others would also not have any cause to complain.

When the judge imposed a fine of fifty rupees on him, Naazar was shaken.

When no pleading could move the judge, then the sleeping devil within Naazar came to life.

Furious, he went into the judge's chamber, and sat down.

When the judge saw him go into his room, he came after him.

'That tin of ghee that I had delivered yesterday, cost me a hundred and fifty. Deduct fifty, and give me the tin back.'

The judge paled at this. He now began to pacify Naazar. But Naazar was now difficult to control. It was only after the judge had torn the notice, that he was pacified.

This time also, he wanted to give the same sort of answer. But enough water had flown under the bridge, by now. He had learnt not to annoy officers, but be patient.

Naazar's complaint was also not disregarded. He sent for Major immediately. Had he really taken a bribe from the thanedar? He was asked to give a frank answer.

Major's arrogance had also abated. He was trembling. He could think of only one excuse.

'There are two culprits, but only one set of documents.'

'I am a responsible police officer. If I am taking the full responsibility that I will submit the documents tomorrow, then why doesn't he agree to that?'

Naazar's anger had still not abated!

'You take that your challan has been submitted. You can give this report to your captain. Is it all right now?'

The magistrate had given the order very carefully. This would keep both of them happy.

They were both satisfied as they left the room.

Major, for Naazar may not have given him seventy, but he would have to spend two hundred on the photocopies.

Naazar, because the challan had been accepted and his pride left intact.

At the most, he would have to pay fifty for the photocopies. He did not have to pay for them out of his own pocket. He had an account with the photocopier, and would get the expenses charged to that account. Later on, he would get some other party to pay for it.

Five

The first one to hear about the presentation of challan in the Bunty murder case was the *munshi* – Balwinder.

He was a buddy of Naazar Singh. Naazar Singh had passed on this information to him, on his way back to the police station, after having presented the challan.

‘Both accused have no families. They have been inside for the last three months. They have still not got any lawyer. With the challan before the court, the judicial process will now begin. They would need to hire a lawyer. If you are a little enterprising, the case can come to you.’

Balwinder was immediately alerted. Naazar was right. This was a murder case. A lawyer would ask for a hefty fee in a murder case, and the *munshi*’s fee would also be in proportion to the lawyer’s. He would also get his commission for getting the case.

Balwinder must contact the accused before the news spread.

Balwinder belonged to a family of *munshis*. His father, and before him, his grandfather, had spent their lifetime in the courts. Balwinder had, also, spent thirty years in this profession, sitting on these hard wooden benches on the campus of the courts. He had plenty of tricks up his sleeve to entice people embroiled in legal problems.

Which trick should he use on Pala and Meeta? He bought a packet of cigarettes, and going up to a corner of the compound of the sessions court, sat down under a *peepal* tree, to mull over this important question.

Joining two cigarettes to make one, he drew a chessboard on the ground with his finger.

This was the way he worked whenever he wanted to think deeply about anything.

He would take deep puffs on his cigarette, and play with the pawns on the board.

Puffing on his cigarette, he tried to think of ways to convince Meeta.

Gandhi Basti was the modern name of *Chuhrian da Vehra* – the courtyard of the sweepers. It was neither rural nor urban. It could not be called a village as it came within the limits of the town. People living here worked either in the factories, or the homes of the people. It was not counted a part of the town as it was set apart from the other areas of the town – about a kilometer away. Also, none of the facilities available elsewhere had reached this area.

The problem now troubling Balwinder was to decide whether to use an urban or a rustic method of beguiling Meeta.

Had it been a village, Balwinder would have taken his bike and cycled down to the village, early in the morning.

He would have, then, halted on the periphery of the village, and clanged his bell in front of the village watchman’s door.

The village *chowkidar* would have been overjoyed, to find the munshi on his doorstep, so to say. It would have seemed to him as though God himself has condescended to bless his lowly dwelling.

The village watchman would have not only suggested ways and means of catching Meeta in his net, but, also would also have given a bagful of other useful information about the people of the village.

Many believed that Balwinder possessed some divine powers. Else how was it possible for people to be unaware of the legal battles ahead, but Balwinder would even know the various sections of law under which they would be tried?

Balwinder laughed at this foolishness of the people. It was true that he came to know about legal fights even before they were initiated. This was also a fact that he would come to know about the sections that would be invoked in a case much before it actually happened! But, the idea that some divine power gave him this information was not true. This miracle, he performed through people who were very much creatures of this earth. One of these miracles was the village watchman.

To get these forces in his control, Balwinder neither needed to cast any spells, nor did he have to undertake fasts, or pray for long hours.

The poor chowkidar needed nothing more than a little monetary help, now and then, and some gifts on the occasion of a daughter's wedding. This was enough to make the chowkidar his follower.

Balwinder often compared a village watchman to a mother. He, like a mother, knows about the problems and tensions of each member of the family.

As soon as Balwinder starts his enquiries, the watchman comes out with all the news.

When he had gone to Mahilin, on the first of the last month, he had praised the tea he had been offered by the watchman. In return, the watchman had given him all the information about two cases which had already reached the initial stage.

It was the '*chatti*' ceremony – the sixth day after child birth, of Mindi's son, and he had brewed four drums of country liquor. The contractors had not found any liquor being sold, and had been trying to ferret out some clues, with the help of the head constable. As soon as they were able to unearth the still, then a raid would follow, and a case would be made out against the culprits.

The drug addict, Kale had struck up a friendship with Darshan of Ajitwal. He therefore stopped buying opium from Khara. He would be always singing praises of opium he got from Darshan. Any day now Khara can get the police to raid Darshan and Kale. Two cases of sale of opium would be made.

Balwinder had stoked the fires burning low. Within a week, both the predictions had turned into reality. Both the cases had been taken by him!

Now, which chowkidar should he contact in Meeta's case? There was no watchman here. This meant that the first trick was of no use here.

Balwinder was not worried about this. There were many other ways, more effective than this.

Lighting another pair of cigarettes, he began evolving another strategy.

If the chowkidar was like the mother of a village, then, the patwari was like the midwife. As you cannot keep any pregnancy secret from a village midwife, in the same way you cannot hide things from the patwari. He holds all the secrets of the village close to his heart. As soon as the mutation of a land is opened, he can assess which party will now attack the other! Which relative would now start litigation against whom!

Balwinder himself had often visited village patwaris to ferret such secrets.

He rarely came back empty-handed. Most of the time, he came back with good news.

A few days earlier, he had gone to get some information about the land belonging to the mahants.

The patwari had immediately spewed out all the information.

The childless uncle of the *nambardars* of Bajwa Patiwale was now dead.

The *munshi* had immediately grasped the significance of this information. Litigation among the *nambardars* will now begin.

The eldest son would present an old will, more than ten years' old, in which he would have been named the heir to the old man's lands.

The younger son would present a will which would be only a few months' old, and which would have been verified by five sarpanches.

The youngest would claim to have been adopted by his uncle.

If they are sensible, they would settle the case in a civil suit. But, if they are foolish enough to fight, then, they would get trapped in cases of murder and the like, and only fill the pockets of lawyers and munshis.

The patwari had also told Balwinder that the eldest brother was under his influence. Balwinder should try to get close to the younger two. Then, there would be litigations galore! Both of them would earn well!

This had kept Balwinder busy yesterday.

One of his men was shadowing Tara, the middle son of the *nambardar*.

Tara would need a deed writer to prepare a false will. A will could only become a reliable document if it had been entered in the register of a deed writer at an earlier date. Keeping this in mind, Balwinder had sent Bhola after him. More than half of Bhola's register was blank. The whole register was there to be filled in, at Tara's request.

Tara was overjoyed when a deed writer came to see him. He felt that *Waheguru* was blessing his plan. His destiny was about to change.

When the student is full of miracles, like Hanuman, then, the teacher must be a reincarnation of Vishnu! This is what Tara had concluded, and therefore, come to meet Balwinder.

Balwinder had blessed Tara. When he has sought Balwinder's help, then, it is his duty to protect Tara's interests!

Tara need not worry now. Balwinder is capable of giving him all sorts of advice and help, to win the case easily.

The first thing that Tara needed to make a false will look legal and valid, was a few witnesses. He could arrange for a *panch*, *sarpanch* or a *nambardar* to be a witness. Each witness had his own importance. This was for Tara to decide how much profit he was after.

He would, then, also need an handwriting expert to authenticate the old uncle's signatures. Balwinder had the names and addresses of many such experts on his fingertips.

The significant thing was that he had the power to turn a false will into a proper legally valid document.

Overwhelmed, Tara had even touched Balwinder's knees, and filled his pockets with money.

Had it been a criminal case, then, he would have been now consulting a patwari. He would have got the patwari to pull the ears of the party concerned. Had the party shown any reluctance, then he would have got the patwari to threaten him.

But, poor Meeta owned nothing, and he did not need to fear a patwari, nor was he scared of any alteration in land records.

Why should he be threatened by a patwari, or fear his authority?

There was no sense in going after the patwari.

Balwinder was sad at losing his second pawn also.

He was, now, in great need of a third pair of cigarettes.

A party can dispense with, a chowkidar, or a patwari, but not without a panch or sarpanch. In a criminal case, the accused has to look after a panch or a sarpanch, as though, they were the sons-in-laws of the family! The nambardar has to verify the bail. A sarpanch is needed to give an opinion in favour of the accused. A party which does not have the support of the village panchayat, has lost half the battle on the first day itself.

Balwinder was fully aware of this point. He had not ten-fifteen or twenty sarpanchs with him, but a whole army of panchas and sarpanchas at his command.

No panch or sarpanch is worth his salt, if he does not keep a strict eye on all that is happening in the village. It is this close watch which helps him earn his bread.

He is ready early in the morning, for the challenges of the day, with his shining turban on his head. Who knows when he may have to go out with a party to the police station or the court! God forbid, if he is not ready, the party then may take another *panch* along! This is enough to upset a person, for it means losing out on a daylong jaunt and delicious eats! There are, also, many other perks attached!

As soon as the root of the problem is clear, then they come to Balwinder. Explain the details to him. Which nambardar has been a witness to

whose false will, which one has verified whom, and who has given a false certificate to identify the property of which party.

Once, Balwinder comes to know about a crime having been committed, he does not rest till the parties involved come to fight with one another.

In this case, the fight has already begun. Bail has not yet been granted. How can Meeta be helped?

Having smoked the third pair of cigarettes, Balwinder's hope of being able to put pressure on Meeta through a reliable person had evaporated.

Now, he had only one pawn left. A king, the royal pawn – the police!

As soon as he thought of the police, Balwinder regretted his negligence.

The challan was in the court. The police had nothing to do with the case now. Had he known earlier, that the case would take this turn, he would have pursued the case the day Bunty had been kidnapped.

He had often done that.

As soon as he would get inkling of an impending trouble, he would go to the thana, and explain to the thanedar the genesis of the problem, who would then try to catch the men involved.

After acting as an informer, he would, then, sit tight for a period.

When the case had been filed and arrests had begun, then, he would surface, the way mushrooms do during the rainy season.

As a guarantor, he would favour the plaintiff sometimes, and at another time, the defendant.

This is how he had come to know Naazar.

When the Dhagrias of Pharwahi had fought over a common wall, Balwinder had then supported the complainants.

The case had initially been made under section 324. The doctors had not yet given their report on the nature of some wounds. That report would determine whether the case should lie under section 324 or shifted to section 326.

He had to argue long and hard with the Dhagria's old man to convince him to this change. At one time he would take him aside and tell him about the disadvantages of section 324. At another time, he would take him aside, to explain to him the advantages of 326. Another time he would say :

‘Old man, 324 does not cover any crime. Even a registered case is meaningless. The first disadvantage is that the police would not arrest the culprit, but let him be here, in the village. It is aailable offence. Even if police want to, they cannot take him in. This is a case where a settlement can be made. At every hearing, the judge would press for a settlement. Listen now, the maximum punishment is three years. The most strict judge could not hand out more than six months.’

Again, he would say :

‘.... Now look at the advantages of 326. First, the police would beat the culprits all the way to the police station. Then, the judge would give a remand of at least fifteen days. Even the most sympathetic judge would have to

hand out a sentence of three years at the minimum. Even if the panchayat mediates and brings about a settlement between the two parties, the culprits would have to frequent the courts for at least an year. They would have to fill the pockets of orderlies, peons, readers, stenographers and advocates.'

Then he would shoot his last arrow.

'.... You just loosen your pockets a little. I will get the section changed to 326. If you don't get it done, then your opponents go about saying that the Dhugrias could not even touch them!'

The Dhugrias found Balwinder's advice very palatable. The old man had immediately loosened the strings of his moneybags.

Balwinder had got Naazar a pocketful, then the pocket of the doctor was also filled.

This was how he had cemented his friendship with Naazar.

Naazar had, so far, been a good friend. In this case, however, neither the police could get a remand, nor could any section being applied to the case could be changed.

Having lost the pawn of the police, Balwinder had to concede defeat.

Erasing the chessboard drawn on the ground, he looked for his packet of cigarettes.

One pair of cigarettes was still left.

He lit this last pair, and now turned his mind to Pala.

He had seen Pala's mother in the court many times. She would be in Sardari Lal's cabin, in Gupta's, or at times in Mohanji's. This was not a case of a petty theft that a lawyer would accept it for a hundred or two. This was a case of murder! She would have to shell out at least ten thousand. Perhaps, this was why she had not been able to settle with a lawyer.

Balwinder would not depend on anyone. He would himself talk to Pala's mother. He would explain to her the politics of a settlement.

The purpose of an agreement was political. She was not required to bribe anyone. This is *kalyug* – the dark age. In this age, if Raja Harishchandra was involved in a trial, he, also would not have been able to get off without a bribe. He would explain this bitter reality to her. He would tell her that she should make a settlement, but, also continue with her efforts. If she can't get a strong lawyer, then, she should, at least, arrange for an ordinary lawyer to handle the case.

Pala's mother would have agreed without much persuasion. If she were to show any reluctance, Balwinder would go to Jeevan, the trader. Money would come from that source. If the traders can arrange loans from cloth sellers or general merchant for a party, then, they can also arrange for a lawyer to take up a case.

What objection should Jeevan have to this proposal? Balwinder would get him a commission which would be twice the amount he gets in trading of grain.

If this does not work, then Balwinder would go to Mohanji. Mohanji was one of the lawyers Balwinder took cases to.

Mohanji was a small lawyer. He did not attend the sessions court. If he got such a case, then he would arrange for another lawyer to defend it in the court. He would get his share from the senior lawyer.

He was the one who had looked after all cases of Pala and Meeta earlier. If this case goes to him, then, he would pass it on to a senior lawyer.

Balwinder believed that Mohanji would not say no to him. This was a cooperative effort. Balwinder would give his share of lawyer's fee to Mohanji. He would, himself get his share of a munshi's fee.

By the time, his cigarettes had come to an end, Balwinder's hopes had soared.

He was already late. More delay could be dangerous.

Full of enthusiasm, Balwinder got on his cycle and went towards Pala's home.

Pala's mother seemed to be waiting for him.

Whatever Balwinder was saying, was right, but she did not have that sort of money, he was asking for. The most she could give was five or six-hundred, and that also, in instalments.

Had Pala's mother suggested a thousand rupees, Balwinder would have got her a lawyer for even that petty amount. But six hundred? How far could she stretch that?

Before working out some arrangement with Pala's mother, he wanted to discuss the matter with Jeevan and Mohanji. There was no need of doing things in a hurry.

Jeevan, however, did not show any interest.

He had great faith in the *samiti*. Pala was innocent. No harm would come to Pala. This was his belief.

He was also bound to the discipline of the *samiti*. He would not betray the *samiti* for the sake of a few rupees.

Mohanji had also made up his mind. He said – 'Uncle, I would fight this case myself. They are bound to be convicted. I would gain some experience.'

By the time, Balwinder reached home, it was midnight.

He went right up to the terrace, without eating anything.

'If I don't get this case, I'll not starve.'

He spent a restless night, muttering to himself.

Six

Had Gurmit Singh not resigned from his job as a government lawyer, then, Pyare Lal, advocate, would have also aspired to fight this case. Of the two accused, one was special to Gurmit, and the other, to Pyare Lal. Now that Gurmit was himself unemployed, what help could he give another unemployed, like Pyare Lal?

If only Gurmit had consulted Pyare Lal once, before sending his resignation. What humiliations one has to undergo, in order to establish oneself in this profession? Had he only asked Pyare Lal about this! If nothing else, he should have looked closely at Pyare Lal's experience. No one has ever asked him, what degree does he have, and from which university!

Does Gurmit think he is Babbu, that he would be able to set up his practise from the day one?

Babbu was the grandson of president of Bhartiya Janta Party, and that was the reason why there was always a crowd of *baniyas* around and at his table in the very first year of his practice. Some one has a bagful of *bahis* – the traditional registers for maintaining accounts, another would be carrying a bundle of promissory notes. One would be wanting his shop to be vacated, and, another his house. These parties were being brought here by the party worker. He gets his commission. How could Gurmit hope to equal him?

Or does Gurmit think that he was like Billu of the sardars?

That Billu was the brother-in-law of a police captain was enough to give him a head start in his profession. The district police force was impressed by the fact. It did not matter that the captain was himself posted at Patiala and not here! If he is posted there, tomorrow he could come here! A police officer from this district may happen to be posted there. Even if he is not transferred here, can he not get some work done? Whenever he happened to come to the court, he made it a point to spend a few moments with Billu in his cabin. The pretext was that he needed a cup of tea, or some water. But the real purpose was to show everyone that he cares for Kakaji. Who does not understand this? Police touts would always visit Billu, when they came to the old police lawyers. Constables, hawaldars were expected to salute him. To show their concern for him. they, also referred cases to him. Scared, they even did not take their commission. Within two years, he was one of leading criminal lawyers.

Now, which police captain would Gurmit claim as a relative to help set up his practise?

It was well known that Gurmit was outstanding in his profession. He was a gold medalist! But, who would bother about how intelligent he was, in the hurly-burly of the court?

Gurmit should have looked at Pyare Lal. He was an LL.M.. He had specialized in criminal law. Till date, no one had realized the importance of his degree, or his ability.

Gurmit had been working for a long time. He is aware of the intricacies of the profession. But, did he not know that the litigant loses all sense, the moment he enters the court? Whatever little sense he has left, is assailed by the touts. They do not let him even think about a lawyer.

Only once had a party come to Pyare Lal, because he had read the words LL .M. written on his signboard. But, he also had been besieged by another lawyer, as he had gone to get the attorney's forms.

'Everyone studies at Chandigarh, and comes here! You may have a Ph.d. also. Our lawyer has studied outside.'

The reference to having studied outside had confused the party. He thought this meant that the lawyer had studied abroad.

Pyare Lal tried very hard to dissuade the party, when he had come back to demand the return of the money he had paid. The lawyer had not studied abroad, but had studied outside Punjab, at Sri Ganganagar, in Rajasthan. There, a student doesn't need to study to acquire a degree. One can easily get a degree by paying the fee and writing the examination. The colleges need money, and the money-bags want degrees. The lawyer has earned his degree in this manner.

But, the tout's logic was stronger than Pyare Lal's. The party took the money back. Pyare Lal is doing the rounds of the courts for the last five years. He had not got a single case in which he could prove himself. To Pyare Lal, it seemed that the same would happen to his friend Gurmit. Who is going to bring him briefs?

Pala and Meeta may not have murdered Bunty. Well and good. Yet, after all said and done, they were bad characters. They must have picked pockets of many needy people. They must have committed thefts, and stolen from homes of poor. They also were taking advantage of the loopholes in the legal system, and getting released. Society must be rid of such criminals. If they have been implicated in a false case, now, then what has Gurmit to do with it? Pyare Lal felt that he should not have resigned from such a comfortable job.

Perhaps, Gurmit also was an idealist like Pyare Lal! In the beginning, everyone has ideals. Pyare Lal also had vowed as he had donned the black coat of a lawyer – that he would follow the duties of a lawyer with dedication. He would put the actual facts before the court. His purpose would not only be that the party he is standing up for, should win at all cost, but that he should help people in getting justice. Once he is well established in his practice, he would not charge heavy fee from the clients coming to him. He would not take up any case of a client who boasts about breaking the law. He would always uphold human rights. Doing this, if he has to oppose others, he would not hesitate in doing so.'

Gurmit may have given up his job, with some such purpose in mind.

But, Pyare Lal's idealism had been shattered in no time, as he struggled to survive. Hunger had swallowed his dreams, bit by bit. Tired and broken, Pyare Lal was lost in the crowd of struggling lawyers.

Gurmit was getting a good salary, and it is easy to deliver sermons on a full stomach. Pyare Lal thought that Gurmit had grown too big for his own good. Perhaps, he felt that he was like an angel, as he had persuaded a few petty criminals to give up crime, or by sending a few cases to lawyers like Pyare Lal. When he has to face the bitter reality, that is life, his ideals would also shatter, as had Pyare Lal's

Pyare Lal could not understand why did Gurmit have to resign?

Perhaps, he was also a day-dreamer, like Pyare Lal, who had had the audacity to dream big!

Pyare Lal could not be blamed if he had big dreams. He had inherited this quality.

Pyare Lal's father, Mukund Lal, has also nurtured a dream. Of making Pyare Lal a prominent lawyer, even much before Pyare Lal was born.

Some one had swindled Mukund Lal of two hundred rupees. He was more concerned about what may happen, than with what had. If one party can do this now, tomorrow another may not pay, and the day after, yet another may refuse. This way his business would collapse.

Mukund Lal had engaged Bihari Lal to fight his case in the court. He had asked for fifty rupees at the first go! This much money, neither Mukund Lal, nor the other party would earn in a month.

Besides the fee, he had to provide many other things to the lawyer. At times he would ask for vegetables, then for sugarcane. Some time butter would be demanded, or sweets, or something else.

The lawyer's children had rosy cheeks, his wife was good looking, and he had a large-haveli- type house, with servants bustling all over. Looking at the lawyer's luxurious lifestyle, Mukund Lal's mouth watered.

After making rounds of the court for two years, he saw that even the petty clerks working in court, were flourishing. The lawyers, of course, earned much more.

'We would also make our son a lawyer.' Both, husband and wife had decided, as soon as Pyare Lal was born.

Giving him that sort of education was going to be costly. The *bania* had, however, drawn up a plan of twenty years in advance. If they save now, however meager the amount, it would increase considerably, by the time it is needed.'

The town was at a distance of twelve miles from their village. What is this distance for a young man? He would get up at day-break, and walk to the town, and come back with a bagful of vegetables. Whatever extra he earned, he put aside for the education of his lawyer to be son.

Kalawanti stood shoulder to shoulder with him, all through. She was talented woman. She could weave *durries*, *khes* and other things. She could also sew. They bought a machine, and there was no dearth of people in the village, wanting their clothes to be stitched.

Their day began at about three o'clock in the morning, and came to an end at about eleven at night.

Pyare Lal went on fulfilling his duty. He was always among the first six or seven in his class, right through to his graduation in law.

Pyare Lal's teachers now began advising him. He should try to become a judge. His English is good, and his grasp of legal complexities is also good.

Pyare Lal now had dreams of occupying the high chair of a judge.

After his graduation, instead of setting up his own practice, he joined the masters' course. He would get a scholarship. While studying at the

university, he would also prepare for the competition. If he qualifies that would be really good, but if he doesn't, he would have still earned his master's degree.

The two years' period also passed, but the public service commission had not yet advertised the judicial posts. He would visit the secretariat every twenty days or so. When would they advertise? He would make enquiries. Gradually, he found out that there was a difference of opinion between the commission and the high court. The commission wanted interviews besides the written examination. The high court did not want interviews. The commission had a bad reputation. Those with tarnished reputations cannot be allowed to select 'second gods'. If the commission cannot choose according to their wishes, if they cannot get their own relatives selected, then they are not mad that they should work day and night to select judges! And, because of between this tug of war, the file was shuffling between the two offices.

Once, he had finished his Masters, it was difficult for him to stay on in Chandigarh. The scholarship had also stopped. There was no chance of his getting a lecturership.

Pyare Lal thought it best to go back to his village. He would set up his practise, and also keep preparing for his exam.

His parents was overjoyed to see their lawyer son home. Their dreams had come true.

A pandit was called to fix an auspicious time. Relatives and friends were invited to a recitation of the Ramayana.

He was given some curd and sugar to eat, and a *tilak* was applied on his forehead, and was he sent off to the court.

When Pyare Lal came home in the evening, he was astonished to see a large sign board on the outside wall of his home. His father had personally supervised the painter through the whole day, and had got it put up before his return.

In his room, these was a letter pad on his table. This his younger brother had got printed. Beautiful letters on soft paper proclaimed : Pyare Lal, B.A.(Hons.). LL.M. Advocate, Punjab and Haryana High Court.'

The signboard on the wall, and letter pad on the table had given Pyare Lal a thrill, the way they had given the other members of the family. There was a strange buzz at home. They would go out, on some pretext or another, and obliquely, look up at the signboard. The way neighbours come in all the time to look at a new bride.

The happiness, however, soon passed. One, two and then three months elapsed. He had not got a single case.

When he looked about, then he realized his mistake. He should have started work as a junior with some prominent lawyer. This way, he would have come to know people, and would also have earned some money.

Those days, Tarraqqi Lal was the most prominent advocate. Pyare Lal went to him with a great deal of confidence that he would take him as his junior. He had great confidence in his own ability and also his academic

credentials. He was convinced that in a few months he would be able to give Tarraqqi Lal plenty of help.

Before committing himself, Tarraqqi Lal made enquires of all sorts. Not about his degrees or divisions. But about his background, family, and political leanings. In these areas, Pyare Lal lagged behind.

Two days later, Pyare Lal was told that there was no vacancy, he already had a few juniors. When there is a vacancy, he would be called.

Initially, Pyare Lal accepted the reason given, but, when after three months, he took Lakhwinder, he was deeply disappointed.

Pyare Lal tried to learn the reason behind the refusal. He compared himself with Lakhwinder. He was the brother of a prominent leader of a big kisan union affiliated to the Marxist party. Any problem that arose in the village, was handled by the kisan union. If they could not do it themselves, and it had to go to the court, then it was taken to the court by them. The small cases may go to Lakhwinder, but the complicated ones would always go to the senior.

Disappointed, Pyare Lal had then approached Mohinderdeep. He had heard that in his early days, even he had not been taken as a junior by any senior lawyer. Perhaps, recalling his own time, he may help Pyare Lal.

Mohinderdeep did not say no to him, but also, did not give him the status of a junior, and treated him like a *munshi* - a clerk. He gave him no instructions, that may be useful to him as a lawyer. He made him, carry his files when he took him to the court. If Pyare Lal had some free time, then he would give him some petty work. Sit with the typist and get the petition typed, or else, correct the typed petition.

He would also grudge paying his salary. He would also pocket the junior's fee. After struggling for a year, he felt that he was not gaining anything by this association. Pyare Lal again put up his own name plate.

He did not have much work, but he was now becoming the centre of a group of new young entrants to the profession. These lawyers, who would not get correct and proper advice from their seniors, would come to Pyare Lal. He wrote their petitions for them, prepare rejoinders to petitions already filed. He would research for them, discover new laws and locate case laws. If necessary he would also appear in the court, on their behalf. He would get his share of the fee.

If the case was complicated, then the junior would give the case to Pyare Lal, and keep his share of the fee.

Another year, and the number of people coming to him was now fairly large. His diary also had a couple of entries for appearance in the court on every page.

Pyare Lal was now much better off. If he keeps getting work this way, then he would also have a comfortable life.

The government now woke up from its slumber. Recruitment to twenty judicial posts was advertised.

Pyare Lal felt that at last, Lady Luck had smiled on him. The selection was based only on the result of a written exam. If there is an interview, it means recruitment of people on recommendations. This was the last chance for

people like Pyare Lal, who have no one to recommend him, because after this, the selection process would include an interview.

He began preparing for the exam with a great deal of zest. For three months, he was a virtual prisoner in his room on the roof, indifferent to food and drink.

He was very happy with his efforts, and had done well. He was happy and sure, that now, he would definitely become a judge. He was thrilled with himself, and went about with stars in his eyes. He rarely attended the court. If he did go, he would sit with the judges, and try to learn their work.

When the results were announced, only eight candidates had passed. The remaining seven hundred had failed.

He was taken aback. He may or may not have made the merit list, but the question of failing did not arise.

He lay in the small room at the back, refusing food. The whole family was sad.

Gradually, they all came to terms with the inevitable. His parents tried to console him. If he has failed once, he can again sit for the exam. How does it matter if he has not become a judge? Capable lawyers do not accept judgeships of even high courts. This was only a magistrate's job. A lawyer is independent. The more he works, the higher his income.

When the marksheet arrived, his disappointment was greater. In all the other papers, his marks were very high. In English essay he had been given not twenty, ten or even five, but a mere zero. Actually, this was the paper in which he had done his best.

Either, there had been some mistake at the commission level, or his paper had been changed.

Whomsoever he went to, gave him the advice to go to the court. He should file a writ in the high court, it would really help him.

Once again, he began day dreaming. The high court would surely give him justice. If he was only given pass marks, even then, he would find place in the merit list.

The court dealt him a bigger blow than the commission.

'The marks awarded by the commission are correct. The court does not have the authority to alter the marks awarded.'

Had he been given marks, he would not have cried. But, the court should at least scrutinize the answersheet to see to make sure if it has been corrected or not? Is it blank or has it been written upon? If it has been written on, is it Pyare Lal's hand writing?

Pyare Lal went on pleading. The high court turned down his plea.

Now he was more forlorn than ever before. He had not become a judge, and was no longer an advocate.

Whatever cases he had, they had also gone elsewhere, because of his prolonged absence from the courts. No one now dare to bring a case to him. Who knows, he may decide to again sit for the exam. No one wanted to get caught on the wrong foot.

The jobs were advertised many times. He did not sit in any exam, despite being advised by many to do so. He had very clearly understood what type of people were selected as judges.

When Pyare Lal had appeared in the exams, one of his class fellows had been selected. His father was a D.S.P. in the C.I.D.. The deputy had first got himself transferred from Amritsar to Patiala. He had then put all his force after the officers of the Commission to find out who the papersetters were. If not all, he had succeeded in finding out about two papersetters.

For others, he tracked the examiners down. The examiners were approached, and were asked to mark the papers as desired by the deputy. The son had succeeded in becoming a judge, as a result of the efforts made by the father.

Pyare Lal had no access to the commission. He could not ask anyone to help him. It was something unthought of.

Giving up the idea of becoming a judge, Pyare Lal now put all his heart in becoming a successful lawyer.

But the reputation that he had lost, he could not regain.

On one side, he was upset by the fiasco of the exam, on the other hand, he was worried about not getting any work. Pyare Lal was under a great deal of mental stress.

He tried everything to get work, but had not succeeded.

First, he tried to emulate advocate Chahal.

In his early days, Chahal also brought his food from home, and would go back home without doing anything,. Tiring of this, he also stopped coming to the court, time and again. When his family insisted, only then would he come to the court.

Understanding the pulse of the time, he had, then, tried to get into politics. He first tried to get close to the Marxists. There was always a crowd of workers around the cabins of the advocate of C.P.I.. He was earning well. Chahal had thought it politic to try to wean away some from him, by donning the garb of a Marxist. But one cannot just become a comrade by wearing a red turban, or by attending a few meetings. One must serve a long apprenticeship to become a comrade. He did not have the time for that, or he would miss the bus.

Turning away from the Marxists, he headed towards the Akalis. There were no cadres here, and no card holding membership. One could join the party at will, and also leave the party whenever one so desired. One only needed a black turban. The main problem was that the Akalis already had a prominent advocate. He was a leading member of the party. He had also served as a minister for one term, and had direct contacts with the central leadership. Chahal could not hope to become prominent in politics immediately, but there was greater chances of his becoming successful professionally. There was no need to worry about the Sardar. For eight months in a year, he was away to Chandigarh.

Chahal now tried to get close to the Sardar. He joined the party. Began sitting on the dias during meetings. He soon become an important leader of the party, as he was an advocate.

The Akalis, were soon out of power. How could they tolerate sitting in the opposition? They organized *morchas* against the government, on some pretext or the other. They courted arrest and filled the prisons.

Chahal had, perforce, to toe the party line and go to jail a few times. He had come into politics to enhance his professional opportunities, but, now the boot seemed to be on the other foot. Whatever cases he got, would disappear by the time he would come out.

Chahal did not lose courage. Finally, he got married to a freedom fighter's daughter. The girl was neither good-looking, nor educated. She had only one quality. She was the daughter of her parents, and the owner of twelve acres of land.

Chahal's father-in-law was a Congressman. He had a good hold over the party. He got Chahal enrolled as a member of the Congress, and, in the very first attempt, got him appointed the president of block level party unit. The excuse given was very plausible. A member of the Akali party had been persuaded to change sides. He must be compensated for this.

Next year, he was made a member of the improvement trust. Chahal was now an important political figure. He was getting work from banks and governmental organisations.

One gains prominence in a political party faster, if one is a lawyer. And if one holds a post in the party, it helps in augmenting professional success.

These days, he hobnobs not only with ministers, but also high court judges. His friendship with the party chief is known to all. Whenever the party comes to power, he is sure to become a minister.

Pyare Lal could see that Chahal was prospering on all counts.

When the party is in power, people bring work because they are scared. Offices also try to curry favour, by sending work. If the party is in opposition, even then the going is good. That is the best time for party workers to come close to senior leaders of the party. They come to the court and sit in his office for hours, gossiping away. This friendship is useful when the party comes to power. But all this is possible if one takes along prospective clients wanting to fight cases.

Pyare Lal also tried to follow in his footsteps. But there was no party which already did not have a couple of advocates. There was place only Rashtriya Swayam Sevak Sangh.

If he was to attend the *shakas* morning and evening, he would have to move to the town. Pyare Lal tried that also. He rented a room in the town.

The Sangh immediately gave him a post, but they were not open hearted in bringing work to him. When they came to the court, they would sit and drink tea only with advocates of BJP.

When he did not benefit from joining politics, then Pyare Lal tried doing what the *munshis* and touts did.

He would visit the police stations in his free time. He tried to make friends with whomsoever he met there, be it a constable or a head constable.

Ultimately, this proved expensive for him. One would demand a liquor bottle, another wanted to eat meat or chicken. Yet another would ask for the key to his room. Either for a gambling session, or to spend some time with his beloved.

In the afternoon, he would make a round of the bus depots. This was the way touts trapped parties, coming from various villages. As soon as the police stepped off the bus with a culprit, he would get after him. He would tell them that he would fight the case for a small fee. He tried to even to woo the constables, promising them a commission. Even this did not help him all the time. Many times, the touts were more successful.

His family wanted him to get married. He was getting older. If a few more years pass, no one would give him their daughter in marriage.

Pyare Lal did not want to face the same situation by getting married, that Meetpal had faced.

His friend, Meetpal, had got married very happily. He now had two lovely children. His income was, however, even less than that of Pyare Lal. His family was also poorer.

There were frequent quarrels. His wife was unhappy, and his children neglected.

First, he sold his wife's jewellery, piece by piece. Then he sold the house. He took to drinking. The family went hungry many times. The children were always hungry.

Ultimately, his wife went out to work. People said his wife had become a call girl. Meetpal is indifferent. He has never asked how is she running the household.

Pyare Lal did not want to become another Meetpal.

He was under a great deal of stress, like Meetpal. He has also started drinking, for it helps him to sleep.

To make both ends meet, he has also used underhand means. He has overcharged his clients. An extra fifty here, a hundred there! Sometimes, a clever client has also caught him at it! Some have even walked away with the case, after publicly humiliating him.

There came a time when he was known for doing all the things that were wrong. He would verify false affidavits, arrange false witnesses, and would sign for other advocates, If anyone objected – he would say very frankly 'I also have to eat. If one can't earn honestly, then dishonest means have to be adopted. As if all that is happening in the courts is good and honest! Everything is false. Some commit theft openly, others do it by stealth.'

By the time Gurmit had been transferred here, Pyare Lal was already ruined. He had stopped going home, to his village. He was drunk the whole day long. He would often borrow money from all and sundry for liquor. Many times, he spent the whole night on the floor of his cabin, dead drunk.

For many months, neither did Pyare Lal recognize Gurmit nor did Gurmit recognize him. The government lawyer had nothing to do with a drunken lawyer, and Pyare Lal also was not concerned with the government advocate.

Gurmit came to know about Pyare Lal, when, once on a visit to Chandigarh, a friend had asked about him.

On his return, Gurmit embraced Pyare Lal.

Gurmit now began sending cases to him. Cases where the accused were ready to admit their guilt. Pyare Lal would get a small fee.

Then, he began getting cases of parties that were poor. If nothing else, it gave him an occupation and experience. Because he was now occupied, he was less in need of drink.

He was earning a good reputation in the courts. At times, his ability and skills were also appreciated.

Gurmit's resignation had upset him. Had Pyare Lal been working, perhaps he also may have got an opportunity to display his intelligence.

Seven

Though each and every lawyer in the court was thirsting to get the case, but Sant Ram Bhandari couldn't care less. He, and he alone would argue the case on behalf of the plaintiff.

Since the day Bunty was kidnapped, he had been associated with this case. Bhandari also, like Lalaji, was a social activist. Many organizations were being run with the support of these two. If Lalaji would go all out to set up an organization, it was Bhandari sahib who nurtured it with his money. Lala sent the workers to run the *Mata ka bhandara*, and Bhandari supplied the food stuff. If Lalaji tended the poor patients in the hospital, it was Bhandari who provided the free medicines. Lalaji was praised for his services to society, and Bhandari for his charity.

In this case, Bhandari was not after the money. He had already spent thousands from his own pocket on Bunty. Advertisements had been put in the papers. Information had been flashed on T.V. and broadcast on the radio. It was Bhandari who had borne all these expenses.

Bhandari wanted one thing from this case, which every lawyer wants. He wanted to be praised by one and all. The more one is talked about, the bigger his practice. No publicity is better than the publicity through T.V. and print media. This case had earlier, been covered extensively by the media, and would again become the focus of news. The media would give full publicity to the proceedings in the court. Papers would publish photographs, not only of the accused, but also of the lawyers involved.

There had been an uproar in the Assembly, and there is bound to be more trouble in the future. The chief minister was under great pressure, and he must see that the guilty are punished. The manner in which Ram Jethmalani and Lekhi had shot into the public eye in the Indira assassination case, Bhandari hoped to become famous in this case.

As it is, he believed that it is social service to see that such dangerous criminals are punished. Killing a young innocent child for the sake of a few thousand was a heinous crime, a mortal sin. Such hardened criminals must be hanged.

His aim was to achieve two things by this one act of his. Gain popularity, and also become famous.

During the investigation also, Bhandari had made full use of both, his influence and reputation.

He had first put pressure on the police. Catch the culprits, he had insisted, as fast as possible.

After the culprits had been apprehended, he had put pressure on the magistrate. The culprits are hardened criminals. They would not reveal everything easily. If you give the police the remand they want, only then can the police complete the investigation satisfactorily.'

The magistrate had given a remand of fifteen days.

It was the first opportunity for him to do something for Bhandari who had obliged him in so many ways.

There were many judges in the town and but only one government bungalow earmarked for the judicial officers. The bungalow was very old. Broken roof in one room, peeling plaster, snakes, rats and mice had a field day. Electric wires and fans burnt out. But, even this bungalow could go only to one. The rest had to make their own arrangements.

There were few good houses available in the town. There were about forty or fifty good bungalows. Most of them were occupied by the owners themselves. Even if a few were vacant, the owners did not want to rent them to the judicial officers. The first problem was that these judges did not pay the full rent. Actually, they couldn't pay the full rent.

Their salaries were lower and the rents were high. Another objection that the owners had was that if they rent their house once, it is extremely difficult to get them vacated. If they ask for their houses to be vacated, they are either threatened with a court case, or of harassment by the police.

No house owner was mad to invite trouble for himself.

In contrast, Bhandari had many bungalows, and a large heart. He owned five bungalows in the exclusive area of the town, Bhandari Bagh. He himself lived in one, and two, he had reserved for judges.

He had a regular interaction with members of the judiciary. On paper, he received full rent from them. He also gave them receipts for the sums received in rent. It was a different matter, that not only he did not take any rent, but he even paid the electricity and water dues from his own pocket.

Bhandari was no fool. He took money from the government officers, not in form of currency notes, but in form of gold!

He would first befriend the judges as a house owner. This would deepen into friendship. When the need arose, he earned from this friendship.

He was wellknown all over Punjab as one of the leading lawyers of the state. He charged ten thousand for a case in the town. But, if he had to go out of town, he took nothing less than twenty five to thirty thousand.

He took out-of-town cases only when one of his friends was presiding over the court.

Recently, an I.T.O. in Jalandhar had been charged with corruption. The police was after him.

The session judge in Jalandhar was a stubborn man. He was refusing to give anticipatory bail to the I.T.O., under any condition.

Some one advised the I.T.O., to contact Bhandari, as he was the only one who could persuade the judge to grant him anticipatory bail.

Bhandari had taken twenty thousand to appear in the Jalandhar court.

Money that he earned this way, he took it as the rent of the *kothis* he rented to judges.

In this case also, the magistrate had given the remand for as many days as the police had asked for, to oblige Bhandari.

Once the proceedings of the case began, the Sangh would again need Bhandari. If it was found that the accused would not be punished, then, the session judge would have to be approached by Bhandari. If the session judge demurred, then he would have to go to the high court.

If something has to be done surreptitiously, then why not do it openly. Why shouldn't he earn name and honour by pleading the case on behalf of the plaintiff?

Bhandari had waited for the invitation to take up the case. But, then, one by one, three months had elapsed, and let alone asking him to take up the case, Lalaji had not even mentioned the case in his presence.

Bhandari was still silent. Once they needed him, they would come to him as a matter of course.

When, after the challan had been produced in the court, even then Lalaji did not ask him to take up the case, Bhandari was suspicious. 'May be, Lalaji is not aware that even the plaintiff needs an attorney.'

He sent the power of attorney papers to Lalaji by his own munshi.

Lalaji had accepted the tragedy as God's will. He had no interest in seeing Pala and Meeta being punished. The one who had gone, would not come back. Why should he defy god? Why should he face humiliation in the courts?

Lalaji sent the papers back without signing them.

Bhandari then went to Lalaji personally, to explain to him the complexities of criminal law.

These poor worms are used to a life of crime. They begin with petty thefts and then go on to commit murder. If Lalaji would not take any action against them, they would be released. Then, they would think that killing a man is a game. Lalaji doesn't want to see them punished because of his convictions. But, it is his duty as a social activist, to see them punished. If they are free to roam, then

they will kill some other Bunty. To ensure that the society may breathe freely, then such criminals must be punished.

Service to society was Lalaji's primary duty. If punishing Pala and Meeta helped society in any way, then he is ready to see that they are punished.

Lalaji signed the power of attorney papers, for the sake of saving the lives of other innocent children.

Putting the papers in his pocket Bhandari was very happy with himself.

Eight

Pala and Meeta both were permanent clients of Mohanji.

Pala's mother had come to him on a number of occasions. Asking him to take up this case also, as he used to do earlier.

Meeta had sent him many messages from prison. Mohanji should fight their case, and not worry about the fee. As soon as he is out, he would fill his home with notes.

Mohanji had never bothered about money. He had never discussed his fee with his permanent clients. They were fully aware of his fee. They would pay ten or twenty at every appearance, and make up his fee.

This was a case of murder. The fee, in this case would go up to thousands. Pala and Meeta would pay even these thousands. Mohanji had only to have faith in their word, and wait for his fee till they were released.

The problem Mohanji faced was neither the fee, nor the wait it involved. The problem he was struggling with was – should he fight this case or no?

Mohanji had become an advocate from a munshi. He had good legal experience. He had handled many cases, though small. But he had never yet mustered enough courage to fight a case in the sessions court.

He would tremble at the very mention of the word sessions, and sweat profusely.

Culprits are sentenced to life imprisonment or handed down death sentences by the session court. The hearings are held continuously. It needed a great deal of hard work and effort on part of any lawyer to argue a case at the sessions.

Mohanji was not deterred by the effort that he may be required to put in, but he had reached this level of comfort after a long struggle, and had earned a name for himself. He was in no hurry to get a party convicted or hanged for murder, and also lose his other cases in the process. If, by chance, a case for the sessions did come to him, he would overcome his greed, and send the client to some senior advocate.

He was, however, not inclined to send the Bunty murder case elsewhere.

Since the day Pala's mother had come to him, asking him to fight this case, he was debating the issue within himself.

When, after many days of struggling with himself, he could not make up his mind, he then sought the advise of his senior colleague, Manohar Lal.

Manohar Lal, after listening to the case and its ramifications, immediately gave him his consent. Having watched the diligence and effort Mohanji had put in all these years, Manohar Lal had been insisting that he should not hesitate in appearing before the sessions judge. It was Mohanji who had been avoiding doing this so far.

Whatever has happened, is gone and done with. But, now the opportunity for Mohanji had been waiting for all these years, had knocked at his gate. Success was now beckoning him.

This was a blind murder case.

The police did not have a single eye witness. All the witnesses it had put up to make out a case, were police touts. Mohanji knew all these touts through and through. He was a veteran at breaking down their evidence, and exposing them. This sand castle created by the police will collapse in no time at the onslaught of whirlwind that was Mohanji.

God forbid, if these culprits are punished, even then, Mohanji's handling of the case would not be questioned. Both the accused were without family and friend. No one would even notice that they have been punished and condemned.

After weighing all the pros and cons, Mohanji had made up his mind to give up his hesitation.

His *guru* had given him some sound advice. He did not lack work, and was now known to be successful. The time to be cautious was long past.

Mohanji was a prisoner of habit. He had not been able to put his past behind him, though, he fully understood the situation.

He had not forgotten the days when people had laughed at his desire to become an advocate.

His own uncle used to say – 'If eunuchs could father sons, then who would run after men!'

Mohanji had turned a deaf ear to all these jibes.

He had full faith in Manohar Lal. It was he who had taken him in as a munshi. He alone would make him an lawyer.

Mohanji had lost his father, when he had just passed tenth class.

His father had died of tuberculosis, when he was still a young man. How much money a man running a small shop selling *biris* and pan could have saved? By the time the final rites of his father were over, then food in the house had also run out.

Had Manohar Lal not been their neighbor, the family would have starved.

Mohanji was good at studies, but he also needed work, so he could feed his family. He was impatient for a job, howsoever small it may be.

Manohar Lal sent for him. He gave him the job of assisting his munshi, so that the family should not go hungry.

Manohar Lal was one of the leading lawyers in town. He had contacts in the highest circles. He had thought that as soon as some occasion arose, he would get Mohanji a job elsewhere. Till that time, this small job was some support for the family.

When Manohar Lal observed Mohanji's dedication, he abandoned his original plan. Mohanji had mastered all the complexities of the work of a munshi. Once, something had been explained to him, Manohar Lal did not have to explain it to him again.

In a couple months he was helping the lawyer in preparing the complaints, rejoinders to complaints and even applications.

By the third month, Manohar Lal had decided that he would not let Mohanji work only as a munshi, but will help him to become a lawyer.

He encouraged and pushed Mohanji to get his degree. Mohanji did his B.A., and then he got him to do his law from Sri Ganganagar.

Even, after donning the black coat of a lawyer, he stayed under the strong wings of Manohar Lal.

He set up his own office, but, he worshipped Manohar Lal.

Manohar Lal also gave him the same affection, as he had done earlier. Gave him all the support in difficult times.

'Don't take weak cases at present. That will save you from getting a bad name. Work on your cases, but also take care of those who bring cases to you.' He had given him such sound advice in the early days.

Mohanji followed this advice. He befriended the munshis. He had himself been a part of this fraternity. If they would not help him, then, who else would?

The president of the munshis was initially hesitant in promising any help to him. A munshi cannot earn his bread by working for one lawyer, and help another by taking a case to him. This was disloyalty.

Mohanji had to spend many days to explain things to him.

He was not telling them to bring all the cases of the lawyers they were working for. He only wanted them to get him those cases which came to the munshis on their own personal reputation. The lawyers could not claim these cases as theirs.

If they get their payment in these cases, they should take them to their lawyers. But, if lawyers take all the money presuming that it was the munshi's duty to bring these cases to them, then, they should also think about their own rights. This compelled the munshis to think about these things.

Mohanji was right. Their rights were being ignored. They should also get their share.

It was for the first time that someone from their fraternity had become a lawyer. Mohanji understood their problems because of this. The munshis must help him.

Gradually, he began getting some cases through the munshis.

The times had now changed. He did not need help from the munshis, or support from anyone else.

Mohanji had now learnt not only to snatch cases from others, but had also learnt to handle them properly.

For him, the client was god. He looked after their interests, as though they were his own. He felt it was his duty to render all help to his clients – right or wrong.

Pala and Meeta had not become his followers without reason. Mohanji had saved them from imprisonment, time and again.

There was a time when there were many cases against them, and often they would mix up the dates.

They may forget the dates, but, Mohanji's diary remembered the dates.

He would wait for them, an hour so, and then get busy in trying to save them. At times, he would give money to the reader so that he may turn a blind eye. Another time, he would persuade some other client to pretend to be Pala, and appear before the court. As far as he could help, he never let his client go to prison. If the need arose, he would himself set up guarantor for them, and also bring a *panch* or a *sarpanch*, to verify and support these guarantors.

Why should a client forsake such a lawyer, and go elsewhere?

Now, there was no danger of a client going elsewhere, then, Mohanji should appear before the sessions court also.

As soon as he had made up his mind, another problem confronted him.

Mohanji purpose was not only in arguing the case, but he was also determined to win the case.

But how could he win this case? It was this problem that he was struggling with these days.

This case was to be heard by the additional session judge, Satinder Nath.

Since the day he had decided to take the case, he had been trying to ferret information about Satinder Nath.

He wanted to understand Mr. Nath's psychology, and attitudes, before working out the strategy to fight the case.

It was the first occasion that he would appear before this judge. This was the reason why he was not familiar with his leanings and predilections.

He knew all that was to know about the magistrates he had already worked with.

Not very long back, he had got a client, accused of peddling ten kilos of opium, released.

Mohanji had been agitated about that case also, the way he was about of Pala and Meeta.

The quantity of opium was ten kilos, and the witnesses were all very clever. He could see no way of getting his client off the hook.

Mohanji then made friends with the judge's cook. He came to know that the judge was a religious man. His morning and evening were spent in

worship and prayers. He fed cows daily, and gave food to the poor on full moon and moonless nights. He would frequently visit sadhus.

Mohanji asked his client to wear saffron-coloured clothes. Got him to crop his hair. Gave him prayer beads. He would sit in a corner of the court at every hearing, telling his prayer beads.

Gradually, the witness and the government advocate were convinced that the man was a god fearing man.

The judge was, also agitated. If this god fearing man is convicted on basis of false evidence, then he would surely curse him.

In order to find the truth, the judge put the accused and the witness in the dock.

‘Now, tell me *bhagat*, what is the truth?’

The accused, with prayerbeads in his hand and *Ram Ram* on his lips, appeared to the judge to be a real *bhagat* – a devout man.

‘The talk of my having opium is false, sir. I have never seen opium in my life. Even then I accept everything as God’s will. If I am fated to go to prison, I’ll accept it as God’s will. I have to answer for sins of previous births, Sir.’ The accused opened his eyes, gave his answers, and closing his eyes, began saying his prayers again.

‘Now, hawaldar, what do you have to say? Tell the court truthfully what exactly did you catch him with?’ The judge asked the hawaldar sternly.

Was it the effect of the devotion of the *bhagat*, or the warning given by the judge, only the hawaldar could tell. Mohanji only knew that the hawaldar was trembling as he stammered out the truth.

‘Sir, we had caught him at his still. I included opium in the report as the thanedar had given me instructions to do so.’

Truth was finally revealed.

If Nathu Ram was religious, then, Dev Singh was an out and out atheist. He did not conceal his leftist leanings. He cycled all over the town, and that also dressed in kurta pajamas. He bought his own vegetables, and had no hesitation in dropping his children at school.

He was against all sadhus and *sants*, calling them idlers, shirkers, and condemned them for misleading the hardworking poor people. If any sadhu happened to appear before him in a case, he was sure to condemn him to hard labour.

Mohanji had also taken full advantage of his ideological commitments.

He would instruct his clients who had to appear in Dev Singh’s court to wear shabby clothes and torn shoes when they attended the court. They should have a stubble on their chin, and have an overall disheveled appearance. Appearance of hard working people who are oppressed and harassed.

Mohanji had achieved very good results from this court also. He had won the case of Nirbhay Transport. The sacked conductors had been reinstated.

The tenant *bhaiyas* had defeated the Marwari houseowners. They had got a stoppage against ejection from their homes.

Mohanji could not decide whether he should make sadhus of Pala and Meeta or mendicants.

The judge's peon said he was a pious man. His cook said something exactly opposite. How could a man consuming a full chicken for dinner be pious?

The woman who did the cleaning said – 'He is very kind to the poor. He tips them heavily even on very trivial occasions.'

The sweeper rebutted her. She is good looking and that is why he is kind to her. He doesn't let the sweeper cross his door.

Mohanji was in a dilemma. The judge's leanings could not be clearly ascertained. Mohanji also was in no hurry to reach a decision. There was still plenty of time.

Postponing the decision, Mohanji now focused on the witnesses in the case.

The police had put up, not one or two, but many touts as witness. Out of these, Modan Singh and Babu Badmash were the most important. Both had appeared in hundreds of cases on behalf of the police. It was essential to understand the details of these cases to make a success of this case.

Of all the courts in the town, if anyone had those details it was Mohanji.

The background and character of a witness has an important bearing in a criminal case. The courts are irritated if the same witnesses are brought before them, time and again. The appearance of such a witness in a case, undermines the story put forward by the police. The evidence creates an adverse impression, and courts are more inclined to acquit the accused, rather than punish them, on basis of this evidence.

Mohanji had a complete record of all such witnesses who have appeared in more than one case. He would make a note of all the details of each case that such a witness has appeared in. Also, where his evidence was accepted and when it was rejected; Also, which thanedar had used him more and which less. All these details were in Mohanji's file.

When Mohanji worked as a munshi, he had a fixed fee of fifty rupees for giving these details.

Since he has become a lawyer, he has stopped selling this record. He now uses this record in the cases that he is handling himself.

The touts, like the accused, now have to wait upon Mohanji.

This invention of Mohanji has changed the ground rules for the touts.

They had been feted and run after earlier. They were also given hard cash, by those who took them to the court as witness.

Now, beside the police, even the witnesses were flustered. The police has to use these witnesses, as they are reliable. Where can it get new witnesses who can be relied upon in every case? The moment such a tout appeared

in a case, Mohanji's record created the possibility of the accused being released. Rather than run after the touts, the accused was happy that this witness had appeared.

It was the tout now who had to pander to Mohanji, so as not to reveal his record. Mohanji's silence alone would help him earn his daily bread.

Neither Modan Singh was beyond Mohanji's control, nor Babu. They would only say what Mohanji would order them to.

Mohanji would, expose them only if he was himself fighting the case.

He wanted to take this case not for money, but to make a name for himself.

Mohanji had now put all his hesitation about arguing this case behind him. But there was still a problem. The problem was the *sangharsh samiti*. It was the *samiti* which was fighting this case on behalf of the accused.

Mohanji was also a stubborn man.

Once he decides to do something, he must do it.

He would contact Babaji. He would meet Gurmit. He would offer his services to the *samiti*.

Whatever he has to do, he would do, but fight this case he must. He would overcome his hesitation.

This was his final decision.

Nine

Gurmit was greatly saddened by the activities of the *samiti* having come to a stand still.

The *challan* in Pala and Meeta's case had been produced before the court. The hearings would also begin in due course. The *samiti*, however, had yet not been able to decide whether the accused should be defended or not.

Some factions within the *samiti* believed that the *samiti* had been set up to protest against and to stop the atrocities of the police. This harassment had now come to an end, with the arrest of Pala and Meeta. The *samiti* was no longer needed. It should, therefore, be dissolved.

A powerful wing of the *samiti* was protesting against these arrests. This group wanted the struggle to go on. This included people who had themselves taken Pala and Meeta to the police, or who had seen them both sitting in the thana for days, before they had been arrested.

Jeevan the trader, Gurmit and Sardari demanded that the fight should continue till their release.

In this, they were supported by Shamu, Ajeet Singh, Hem Raj and Baba Gurdit Singh himself.

‘Had they been guilty would they have not been arrested the very first day itself?’ The group, wanting to carry on with the fight, was asking the other.

It was this conflict which pained Gurmit the most.

He had resigned his job to defend Pala and Meeta in the court. To attain this, he needed the help of the samiti. If the samiti were to be dissolved, then, what would happen to the mission he had undertaken? This was what was hurting him most.

He had met the various groups within the samiti a number of times. He had explained to them at length about the innocence of the two accused. He had also appealed to them to rise above narrow political interests, and to carry on a united fight for the achievement of a common goal – justice. But, not a single faction had responded to his appeals and motivation.

At times, he had even been upset with Baba. Disappointed by all groups, when he had met Baba hoping for a quick decision, he had responded by giving the old mantra – ‘wait for some more time.’

Baba had his own compulsions for handing out this mantra.

Baba was aware what would happen in the near future. Neither the Akalis will support him nor the Congressmen, nor the Jan Sanghis. This was a battle he would have to wage on his strength and power. Baba did not want the samiti to be blamed for throwing out these elements. He was giving them the opportunity to walk out of the samiti on their own.

There was, also, no need for an immediate protest. The case would begin soon. Right now, there was no need for a lawyer to stand up for the accused.

As it is, Gurmit was carrying on the fight for them secretly.

The police was changing its statements at every step. Documents were being changed. A photocopy of each document that was changed was reaching Gurmit. Was this anything less than fighting for them?

When Gurmit insisted, then, Baba, told him in clear words. The samiti will fight Pala and Meeta’s case, under all circumstances. Gurmit should go on fighting the case himself, or ask a friend to do so until the appropriate time. Later on, the samiti would take care of things.

To reach a decision as expeditiously as possible, the meetings of the samiti were being called frequently. But, each meeting ended in disappointment.

The Akalis left the samiti at the first meeting.

The reason given was the same stale and oft repeated argument. Police atrocities are now over. If the accused are guilty, then, they would be punished. If they are innocent, they will be released. Akali Dal was not in favour of interfering with the working of the judiciary.

Everyone was fully aware that this was not the real reason for the Akali breakaway.

Last time the chief minister had come to Sangrur, he had convened a special meeting of party workers. The chief minister had scolded the

jathedar in his own sugar coated manner. If the ruling party itself starts opposing the police, it would harm the party more than the police. People blame the ruling party rather than the police for the atrocities committed by the police.

The chief minister exhorted the jathedar to think. He has been foolishly misled by the comrades. If Pala and Meeta are punished, it would enhance the reputation of the Sikh brotherhood. The Akalis should proclaim that the Sikhs are being maligned as extremists or separatists. But Sikhism doesn't teach anyone to kill innocent kids. This is being done by criminals like Pala who give a bad name to the Sikhs. This sort of propaganda would strengthen the hands of the government. If the government is strong, then the reputation of the jathedars, at both the official and political levels will be enhanced. If the government is thrown out, then, the jathedars would again have to engage in a *dharm yudha*, and go to jail.

‘Who is bothered about us even now? The government is of no use to us.’

This complaint by the jathedar was immediately taken up. The police captain and deputy commissioner were summoned and given specific instructions to attend to all the requests that the jathedar brings to their notice.

Since that day, the jathedar whenever he visited the thana, was offered a chair. Now, after hobnobbing with the police, he had started toeing the official line. Pala and Meeta were now murderers for him. What role does his party have in the samiti?

In the next meeting, the Congressmen turned their back.

The Congress was proud of its hundred years' glorious, history. It had put a judicial system in place in the country, which was a model for the whole world. A legal system ensuring equality had been set up. There is rule of law, the same law applies equally to the president, and also protects the rights of the lowest in the country. The courts have been kept free from any control by the government so that they may function impartially and fearlessly. Even the prime-minister cannot interfere. To cast aspersions on such a sacred institution, is like spitting at the moon.

If the samiti sympathises with the murderers, then it may engage a good lawyer for them. They do not support, nor are they willing to do anything more than this.

The Congress workers had complained to their leaders. The actual credit of this protest had been garnered by Baba and the groups that were loyal to him.

It was true that the party had not openly participated and whole heartedly in the processions and meetings, but, some hard hitting speeches had been delivered by them! This also was true that no worker of the party had courted arrest, but their group had been the largest in the delegations that had met the government officers. If they continue giving this sort of support to the samiti, then Baba would reach the top, by using them as stepping stones!

They would not derive any political advantage from the next stage of confrontation. For that would be confined to the courts. Most of their time and

strength would be used in either attending to the witnesses, or persuading the witnesses to go back on their statements! At times, such cases go on for twenty or so years to come to an end. The Congress cannot go on associating with the leftists for this length of time.

The party had also received signals from the centre. The present government in the state was being supported by the centre. The central leadership was not interested in toppling the government. The state unit should oppose the government only as far as it benefits them politically.

The centre had told the chief minister emphatically that its workers must be attended to immediately, and given priority over the Akalis. The chief minister had willingly agreed.

The Congress prided itself on being a disciplined party. It immediately accepted the centre's instructions.

The Bhartiya Janta Party had never had anything to do with the samiti. When Lalaji had raised the slogan of police harassment, then, a few of their workers had joined the samiti. The party was not willing to believe that Pala and Meeta were innocent. Their reasoning was that the two were hardened criminals. They may have been inactive for some time, due to some reason, or they had not been arrested by the police. But, this does mean that they were clean and pure. They could have succumbed to their criminal propensities anytime. One cannot hope that such hardened criminals may reform.

It may be true that they had come to the police on their own. It may also be possible that Baba and his men may have seen them sitting at the thana. It is also possible that the police may have made enquiries from them initially. Perhaps, it was at that time the police may have got some clues during these enquiries.

The party quoted the case of the murder of Khairati Lal's wife in this town itself, as a proof in support of their reasoning. Balwant had worked for fifteen years at Khairati Lal's shop. Khairati had treated him like his own child. All money transactions were handled by him. He would visit Khairati's home at least twenty times in a day. Sometimes, to take money, and at other times, to deliver money.

One day, Balwant had come to deliver twenty thousand. He watched Banti put away the money in the cupboard from the door.

An hour later, he covered his face and dressed up in clothes which gave him the appearance of a thief, he climbed down from the roof, and took the money by threatening her. It was her bad luck that Banti recognized him as he was leaving!

'Oh! You, Balwant!' thunderstruck Banti called out. That moment sealed her fate!

Aghast, Balwant throttled her to death. Then, he set fire to her to show that she had died in the fire.

In the evening, with half a bottle of liquor inside him, he had come to Khairati's home to condole, and sat in the crowd gathered there. Embracing Khairati, he wailed loud and long.

No one suspected Balwant, even though twenty four hours had passed.

Then, the police got some information. People heard about it only when the police recovered the money from behind the electric meter at Balwant's indication, and also his blood stained clothes.

If one were to say that he had seen Balwant wailing and weeping for Banti! But, does this mean that he was innocent?

Instead of supporting the samiti, the Bhartiya Janta Party was insisting that Pala and Meeta must be punished. It made the announcement of parting ways with the samiti at a crowded meeting. The Party's stand was very clear. The morale of the police is already low. If the Party opposes it, then it would embolden terrorists. The judiciary was already shaky. If the party raises its voice against it then, this would scare it all the more.

If Pala and Meeta are punished, it would benefit one and all. If these two, even if innocent, were to die, heavens will not fall. Earlier also, hundreds of innocent people have been killed. If two more were to die, the world would not die. If they are punished, that would be a warning to others.

The party's new policy was very clear. They believed that Pala and Meeta had killed Bunty. The Party would try its best to see that they receive their punishment.

In no time the crowds had scattered.

This left Baba, some groups that supported him, and some social activists like Jeevan the trader, who believed that the truth would emerge unscathed.

The newly set up samiti had a definite agenda. People had expressed their faith in the samiti. It must uphold this trust.

It set up a legal cell to fight the case. Gurmit was put in charge. He was given a free hand to decide which other lawyer should be asked to join it.

Gurmit had sent the first message to Pyare Lal. People may call him an idler and good-for-nothing, but, for Gurmit he was an unpolished gem. He only needed a chance to display his intelligence and skills.

Mohanji had himself offered to come in. He had been defending the two right from the beginning. He was willing to fight the case without any fee.

What more could they ask for? The cell badly needed his services. Most of the witnesses in the case were police touts. They have appeared on behalf of the police in hundreds of cases. The cell needed the record of these appearances to discredit their testimony. Mohanji had the details of each one of these witnesses.

Wishing all success to the legal cell, the other groups of the samiti also geared up to carry out the duties they had been assigned.

The first task of the cell was to get bail for the accused.

Ten

Ninety days had passed since Pala and Meeta had been arrested. The police had not been able to present the challan against them in the court. It was on this basis that they were to be bailed out.

Perhaps this was their last day in prison.

Pala and Meeta were busy collecting their things to go home.

Their fellow prisoners were congratulating them. In a murder case it was difficult to get bail even in an year. They were lucky to be getting out in three months.

Bhadoria Wally had not congratulated them yet. He was not willing to accept the fact that the police had not been willing to present the challan in ninety days. Had it been some insignificant case, he may have accepted it. But this was a well known case, known even in Delhi and the South. It had taken a political colour. If the accused are released on bail, then, the thanedar would lose his rank. He may show the challan to have been presented on an earlier date, or use any other underhand trick, and present the challan within time. Bhadora's experience told him this.

Police station, court or prison- nothing was new for Bhadoria. There was twenty years' experience behind him. He had faced charges ranging from wielding a *Rampuri* knife to murder. His family had tried everything. They had also appealed to the Supreme Court, but he had not been given a bail. And, these people think that they would get out without much ado!

These two were comparing themselves to Bhinda of Dhanula. He also had been bailed out in this manner. But things had been different in that case! He belonged to the group of Shera badmash. Shera had spent money like water for his men! Bhinda was his right-hand man, and Shera had used all his power to get him out.

There was another reason behind Bhinda's bail. The old man he had murdered had no family. He also did not have much money or land. Only one plot of four *bighas* and another of one and a half *bighas*. The land would not have covered even the cost of litigation. And, it also meant making enemies of evil men. Though, his family had filed a report, but they had not pursued it, and had shown no inclination in fighting the case. Without legal help, even a case under section 323 does not succeed. This was a murder case. The police, as it was, wanted to protect Bhinda. Had it been in their hands, they would not have even arrested him. But, scared of their higher officers, they had to go by the book.

The thanedar had given the bereaved family a hint, right at the beginning – why do you want to waste money on lawyers? Give me the money you would pay the lawyer. He will get bail, and the case also would be dismissed.'

Shera had showered money on the thanedar. The thanedar had honoured his promise.. Ninety days passed and Bhinda got the bail.

"Someone should ask these fools which bastard have they rewarded? They are just boasting without cause! They would be back in prison, by the end of the day. All congratulations would go waste!" And Bhaduria kept mum.

Bhadoria's indifference had not registered with Pala and Meeta. One thing, however had hurt them with their impending release, some friends had begun fluttering around them. According to the tradition of the prison, Pala and Meeta would give all their goods and chattels to them when they leave. The number of their followers was not large, yet they did not have anything to give them.

Had they been Bhadoria Wally, Seth Hazari Lal or Bhinda Badmash, then they would also have had plenty to distribute. Some one or the other was always visiting them. The visitors also brought many things. Most of the eatables were eaten. But there were always something left over. Oil, soap bars, ghee, pickles, biscuits, *biris* or cigarettes, were not things that they would take back home with them. If someone were even to try this, the jail authorities would swoop on them like eagles, and confiscate everything. So, why not give them to friends rather than to the jail authorities? Bhinda had given towels, quilts and also blanket to his friends.

Pala and Meeta were themselves living on charity. They had never got anything from outside.

They were produced before the court every fifteen days.

A busload of prisoners would reach the court at ten in the morning. They had to appear before the court in the afternoon. The petty thieves were made to sit under the tree in the compound of the court. But they were shut up in the lock-up on the premises of the court. Those in lockup did not face much trouble in meeting people. A cup of tea for the constables, or a few bananas were enough to get the work done.

Pala's family met him in the court.

On one side, his poor parents, and on the other side, those who wanted a share in the things he got. What he got from his family was consumed in a couple of days. The rest of the days were passed in want.

Their friends were also like them. Dev bhaiya, Bahadur Pahadia, or Sonu the jeweler did not have much hope from them. But, they also did not think it wrong to still nurture some hopes.

If Pala and Meeta were not capable of giving *ghee*, *pinis*, quilts or blankets, but this did not mean that they would leave without giving anything to their friends. They would also leave something for their friends, keeping the traditions of the prison. Of all their friends, Debu bhaiya was the poorest. He had been in the prison since the last three years. His clothes were in tatters. He only had a *kachcha* on his body to cover his nakedness. That also was so worn out, that it could any day refuse to do the duty it was supposed to do. He hasn't shaved for over an year. His hair was dry and tangled. It had been curly and dark, but, was now gray. As it is, he was himself very dark. The sharp sun had turned his dark body darker. He had never eaten to his fill. On top of that he had to put in hard labour. He was now almost a skeleton. This ghost like Debu needed their help the most.

The police had got new clothes made for Pala and Meeta at the time of their arrest. They had also been given new *jootis* and turbans. The two of

them had never worn such clothes all their lives. They had taken them off and carefully put them away, and not worn them since.

Now, was an auspicious day, and they had donned their new clothes. They will give their old clothes to Debu. Meeta gave his old pair of trousers, and also a pair of *hawai* chappals to Debu. Pala gave him half a bar of soap, and a bottle of oil. Now, he could massage his dark body and scrub and bathe to his heart's content. Put oil in his grizzled hair and untangle it to celebrate the release of his friends.

Bahadur had been in prison for the last two years. He was a Nepali, and had worked in the homes of many high officers as a servant, all his life. He was a dandy, and fond of good clothes. When he had come in, he was fair with a well-knit body. Now, there was only a slight difference between him and Debu. When the servant of the jail superintendent would be away on leave, then he had the opportunity to go to his bungalow. He took the maximum advantage of these occasions. He would bathe and shampoo his hair, and put perfumed coconut oil in his hair. Would eat to his heart's content. He would also act big for many days. Pala felt this dandy buddy of his needed a comb and mirror. He gave his small comb and pocket mirror to him.

Sonu had been brought in only four months back. This callow youth had a girlish look about him. Everyone thought that they had a right to tease, hug and fondle him. He was being given presents by other inmates even without asking for them. He did not lack for food to eat, or clothes to wear.

He wanted a promise from them. A sincere promise, from the heart.

'Brothers, help me get out of this hell anyhow. Whatever the expense, I'll give you double, once I am out.' He would plead and weep copious tears.

'Don't you worry. The first thing I am going to do on getting out, is to get my lawyer to put in your bail application. In a few days, you'd also be out on bail.' Meeta had assured him, pressing his hand and wiping his tears.

Sonu could not decide whether he should depend on these assurances or no. Every prisoner, going out, would make these promises. Sonu would believe him. Would watch the passage the whole day long. Waited for the call for freedom.

He had begun daydreaming. He would imagine, a good lawyer has been engaged for him. The lawyer is arguing on his behalf, and making a powerful speech, like an angel, a prisoner leads him out of the cell. He is playing with his classmates, is studying, is loitering in the lanes and bazaars, is eating *golgappas*, is in bed, sleeping till noon.

How was he to know that the one who had gone out has forgotten him. He has been scared by the lawyer's fee, and arrangements that would have to be made for guarantors and other demands that would have to be met. He has barely come out himself! What has he to do with anyone else?

And as the days would pass, his dreams would scatter, bit by bit..

By this time, someone else would be released. Letting go of the hopes that had been centered on the first, he would now put all his hopes in the new man going out.

He now wanted to fix these hopes on Pala and Meeta.

The enthusiasm with which they were assuring Sonu, made Debu and Bahadur's mouths water. Why shouldn't they give voice to the same hope?

Pala and Meeta were concerned about all three of them. They felt that these three also had been victims of dirty tricks, in the manner they themselves had been tricked. Whatever Pala and Meeta could do for these three, they would do.

Sonu, Debu and Bahadur prayed for their release. They came up to the passage to see them off. They congratulated them, and, also reminded them about these promises they had made, time and again.

But, in the evening they were back.

The whole barrack was stunned. Sonu, Debu and Bahadur turned pale.

'Chacha Bhaduria was right... he had said that the police had presented the challan yesterday.' Meeta answered the unasked question, which hung on the faces of his companions.

'We're finished....' Both Debu and Bahadur cried out in one voice.

'Don't be upset. The *sangharsh samiti* has been set up.. it has set up a committee of three lawyers to fight our case... the lawyers have told us that they will fight, not only our case, but also of all those who have been double-crossed like us... I have given them the names of Sonu, Debu and Bahadur's names... they will fight your cases also... the expenses would be taken care of by the *samiti*... if anyone else needs the help of the *samiti*, they can give their names also...'

To escape the taunts of Bahaduria, and to keep up the spirits of his friends, Pala had made this short speech.

Bhaduria was in no mood to taunt. He was disheartened at the naivette of these two young men.

Eleven

Satinder Nath, the additional session judge, was a stickler for punctuality. He himself would be in the court five minutes before ten.

He would first hear the petitions for bail. This was a very important hearing for the accused. It were these hearings that decided whether they would languish behind bars for a long time, or allowed to go free. Was the accused to be allowed to come out, or was he fated to be humiliated by the police.

In Nath's court, only one call was given for the party to appear. Whichever lawyer was present his application would also be dealt with immediately. One who missed the opportunity would have to wait till the next month.

As the saying goes, the people follow the king. If Nath came to the court five minutes before time, the lawyers had to be there fifteen minutes before he arrived. The frightened party would come to the court as soon as the day broke.

Today, in stark contrast to his usual practice, Nath was late by an hour. There was a huge pile of applications waiting for him. Most of the criminal lawyers were in the court by then.

The lower courts had begun their work. Calls for lawyers were being made again and again. Some of them had been called for many times.

On one hand, the magistrates were snarling at the parties, and on the other, the lawyers were not coming out from the sessions court. The lower courts were not very important. The hearings could be delayed for some time. Once the lawyer leaves the session court, and the judge comes to the court in his absence, then the party has had it. By the time the lawyer comes back, the application may have been dismissed, and the party may have gone to some other lawyer. No lawyer could afford to take any risk whatsoever. Trapped, the applicant would stand outside. Let whatever has to happen, happen. He would not go back till the lawyer comes out.

The assembly of lawyers and petitioners in and outside the court, was increasing in numbers.

Inside the court room, there were only about seven or eight chairs for lawyers, and about twenty lawyers were assembled there. The early arrivals had taken the chairs available, and the rest were scattered, some near the steno's table, others around the reader's, and yet, some more near the orderly.

The rest were huddled in small groups, trying to imagine what could be the reason for the late arrival of the judge.

Gurmit was also in one such group – discussing the same topic.

Bhandari, the lawyer, was of the view that he must have drunk heavily last night. He must be now trying to get over his hangover.

Sardari Lal felt that some party must have run short of money. The judge does not come to the court, unless he gets his full due.

Gurmit was not interested in this talk. His eyes were fixed on the reader.

The reader was surrounded by the munshis and the deed writers. One was giving him twenty, another hundred. Some petitioner would pull at his shirt, or the orderly would come over to talk.

Gurmit wanted to talk to the reader alone. But he could not catch his eye.

Each moment was important for Gurmit. The judge could walk in anytime. He must talk to the reader before the arrival of the judge.

It was essential that Pala and Meeta's application for bail should be accepted. The accused could neither reach the judge, nor the government prosecutor.

The reader had helped Mohanji pull out a tricky case yesterday, and get bail for his client.

One of his clients had been arrested for possession of twenty five sacks of poppy husk. The client was himself an addict.

Without his dose, he was half dead behind bars. But, Mr. Nath, the session judge was a man of principles. He would not give bail in any case involving more than twenty sacks. The addict did not have the money to go to the high court for bail.

It was the reader who had come to the rescue of the man.

Three appeals of seizure of poppy husk were scheduled yesterday. In the first case, twenty sacks had been seized, twenty two in the second, and the third was Mohanji's party.

The reader had first put up the application of the twenty sacks. The judge granted bail immediately.

Then, the reader presented the petition of twenty two sacks. Bhandari was the defence lawyer in this case. Bhandari pleaded on the ground that there was hardly any difference between twenty and twenty two.

There was really not much difference between twenty and twenty two. On top of it he had to listen to Bhandari. He had been Bhandari's guest last evening. Bhandari must have spent at least two to three thousand on the party.

After some bickering, Nath had signed that application also.

After the second application had been signed, Mohanji was emboldened.

Nath understood the trick that the reader had played. He did show his annoyance to the reader, but could not reject the petition.

It was this sort of help that Gurmit needed from the reader, but he was too busy.

As the group around the reader thinned, Gurmit made a sign to him.

When the reader came out, Gurmit clearly explained his purpose to him, without beating about the bush. He should present Pala and Meeta's application to the judge the way he had done with Mohanji's client, where he would not be able to turn it down.

Gurmit scrutinized the various applications. Billo was aware of two petitions which Nath was going to accept.

The first was that of the traders of Khanna.

Their cattlefeed sample had been checked and found adulterated. The police wanted to arrest them. They had struck a bargain with Nath through their lawyer.

‘But, brother what connection can our case have with the case of the *lalas*? That is case of adulteration, and this is a murder case.’

The application of the *lalas* would not help Pala and Meeta. Gurmit wanted to fit his application with an appropriate case.

‘There is another murder case,’ the reader explained the details of the other application.

It was a case of looting of bank in broad daylight by the extremists. There had been a scuffle between the bank manager and the extremists. The manager had died on the spot. The guard had shot at the extremists and injured one of them in the leg. He had got his other companions arrested also. The cash had been recovered. The extremists had been charged with the heinous crime of double murder, bank dacoity and possession of illegal arms.

They had also presented a petition for bail. That also was to be heard today.

Gurmit realized that if the extremists could be given bail, then Pala and Meeta’s petition would also be accepted. He had assessed the two cases, while preparing his case.

There was a charge of double murder on the terrorists, whereas Pala and Meeta had been charged with the murder of Bunty. The extremists had been arrested in the act. The police had not been able to get any clue for a month and a half in the Bunty murder case. There were eyewitnesses in the extremists case. There was not a single eyewitness against Pala and Meeta. Bank employees and members of public who were in the bank at that time for transaction of their business, had witnessed the attack. The court was bound to accept their evidence. In this case the situation was exactly the opposite. Sixty percent of witnesses in Pala and Meeta’s case were police touts. The court would have to think hundred times before it accepting their evidence. The most important fact was that the extremists would abscond the moment their bail was granted. Later, neither they nor their guarantors would be traceable. Pala and Meeta had not absconded earlier, and will not run away now. Baba Gurdit Singh and Jeevan the retailer, would be their guarantors.

If the extremists may be granted bail, then, why not Pala and Meeta?

‘I do not know if there has been any bargain with the judge. But, I do know this that they will get bail.’ The reader had explained the situation to Gurmit.

‘Then, this is it! You put our application after theirs. We shall then see!’

Once having settled things with the reader, Gurmit was reassured. Let the judge come, whenever he wants, Gurmit was not worried.

As soon as he came, the judge apologized to the all those present in the court, for being late. Then, to cover up for the delay, he began disposing off the petitions.

The reader was right in his opinion. The judge first dealt with the bail application of the traders from Khanna and granted them bail. Then, a few other culprits were given bail.

There was no one else except Gurmit, Pyare Lal and the government lawyer in the court.

The call for the extremists had been made many times by now. The orderly had even been sent to his cabin, but the lawyer was not there.

Had it been an ordinary case, the petition would have been rejected on this very basis. But these culprits were dangerous. They could go after the judge at the slightest provocation. They could threaten him through their friends who were still outside. And, if they thought it necessary, they could even harm the judge.

The orderly was sent again to look for their lawyer.

The public prosecutor was asked to put forward his case till the lawyer came to the court.

The public prosecutor flung a glance in the direction of the saffron coloured turbans of the friends of the terrorists, and then began arguing in a conciliatory tone.

‘You can see for yourself, sir, what can I say?’

When even the public prosecutor backed down, then why should the judge take on the problem? He began dictating the order for their bail, even before the lawyer walked in.

Gurmit and his friends were relieved on hearing the bail order of the extremists. Now, the path for Pala and Meeta’s was smooth.

Before, the judge could begin the hearing on Pala and Meeta’s petition, Bhandari came in. There were four or five other lawyers with him, and about ten Sangh workers, and a box full of books with him. He was to help the public prosecutor in arguing the case.

As soon as Bhandari came in, slogans could be heard outside the court.

‘Death for Bunty’s murderers’,

‘Supporters of murderers – murdabad!’

The court’s proceedings came to a stand still. Silence descended on the court. They all looked at each other.

The Sangh workers in the court began whispering amongst themselves. They could not gather the courage to raise slogans, but they did pass comments implying the same.

Gurmit had a strong objection to this slogan mongering. This amounted to interference in the proceedings of the court. The aim behind this was clear. They wanted to put pressure on the judge. This was a contempt of the court. The judge should slap a notice of defamation notice on these people.

Nath also objected strongly to this slogan raising. He threatened the slogan shouting group that if they do not apologize immediately, he would then slap a notice for contempt against them.

Bhandari tried to retrieve the situation. He apologized on his own behalf and also on behalf of the Sangh workers.

Gurmit was not satisfied with the apology. He wanted that action should be taken against the Sangh workers.

The judge was satisfied with the apology. He was not willing to get into any more squabbles.

Gurmit was ordered to state his case. The judge would decide on the merits of the case, not on the basis of what the Sangh wanted.

Bhandari had played his game well. What would the decision be now? This was no longer hidden from anyone.

To please Gurmit, the judge had given him plenty of time to state his case.

Gurmit, however, sensed that the judge had no interest in his argument. To while away time, he first turned the pages of a file, then signed some papers on his table, and when he had nothing to do, he yawned.

When Gurmit finished scattering pearls before swine, then the judge announced his decision.

‘Sorry, sir. Try the high court.’

The harsh words of the judge hurt Gurmit and Mohanji very badly.

But, they could do nothing except grit their teeth.

Twelve

The Samiti had not given much importance to the dismissal of the petition by the additional session judge. Murder cases are very important for the sessions courts. Applications for bail are seldom accepted by lower courts in such cases. There was nothing untoward in the judge deciding to reject the petition, in view of the prevailing situation in the town.

But, the rejection of the bail application by the High Court came as a serious jolt to the samiti.

In most such cases, the assistant advocate-general appears on behalf of the government to oppose such applications. If it is an important case, then, the deputy advocate-general appears. In this instance, the advocate general himself had made an appearance. His attending the case meant that the matter was serious, and the government was stating its point of view through him.

The government had made full use of the media also to exert a psychological pressure on the court. Not one or two, but a full dozen reporters, loaded with cameras and tape recorders, had come to the court. They were personally led by the deputy director of public relations department.

The government's strategy had been very successful.

The High Court had understood how important the case was for the government.

The judges were more concerned about the impact any decision that they gave, may have on the government and the people, rather than justice. If they accept the application, what will the media have to say about it tomorrow? Will the press reports influence the people and what effect would public opinion have on the government? Later on, would not the attitude of the government effect their future?

Having considered the various aspects, the judges arrived at the conclusion that the government was in danger. It was, thus, the duty of the High Court to stand with the government in its hour of need. The court decided to stand by the government.

When the accused would be out of sight of the people till the case is finally decided. The government would push for a quick wrapping-up of the case, and punishment for the accused. If there is an indication that they would not be punished, the government would then see that the case lingers on in the court. The government would not let the case come to an end, until the attention of the people was diverted to some other burning issue, and till the memory of the Bunty murder case is blurred.

After the crisis had been postponed, the government happily went to sleep. The samiti, however, now had sleepless nights.

The plan that the government had adopted was a matter of concern for the samiti.

The rejection of the appeal had different effect on each one of the three lawyers of the samiti.

Mohanji was a professional. He had handled numerous cases. Losing or winning one case neither affected his mind, nor his profession, But, it was the first time he was fighting a murder case. Winning or losing this case did make a difference to his reputation. Rejection of the bail meant the beginning of failure. He was, therefore, upset.

On Pyare Lal the effect was psychological. The action of the High Court had shattered the image of the judiciary that he had cherished in his mind all these years. The image of an independent, fearless, and impartial judiciary had taken a severe beating. Was this justice? Such questions were assailing his mind.

Gurmit had neither been upset, nor hurt. He had already realized that winning this case was no cakewalk, and the government would not hand over the case to them on a platter. A long and difficult struggle lay ahead of the samiti.

For Gurmit this case was a challenge. It was a lesson for the samiti. It must understand the scheme of the government, gauge its intentions, and plan its own strategy.

He began thinking of ways to revive the low spirits and morale of his colleagues, and evolve a plan for the fight ahead.

The activities of the samiti were increased. A meeting was organized to discuss the plan for the future. The members of the legal cell all knew the various

legal tricks that may be played by the government. Gurmit, Mohanji and Pyare Lal also were being consulted in planning the strategy.

Whenever Pyare Lal attended a meeting, he spent more time in seeking clarification of his own problems, then on giving suggestions.

Babaji was impressed by questions that Pyare Lal asked, and tried to satisfy him with logical answers, and helped soothe his emotional pain.

After a few meetings, Baba had realized that Pyare Lal was an unpolished gem. Some paring and polish, and he would prove invaluable in public service. He became more attentive to Pyare Lal.

Pyare Lal also become more involved in all the activities of the samiti. Gradually, he also understood the truth.

One thing was now clear to all. The legal cell could not fight this battle alone. The government must be answered on the roads, alongwith fighting the various tricks it may use in the courts.

Who said that the legal cell will fight this battle alone? The whole *sangharsh samiti* was with the cell! Each move of the government would be answered appropriately. Each worker of the *samiti* was willing to lay down even his life.

This announcement by Baba infused a new spirit in the legal cell.

A special meeting of the samiti was convened at the suggestion of the cell. Every single member was asked to attend and help with suggestions.

The order was followed, and there was full attendance at the meeting, and plenty of enthusiasm.

The cell would have a significant role in planning a new strategy. It was fully aware of its own responsibility. Each one of them had his suggestions.

Mohanji suggested that this case should be allowed to linger in the court as much as was possible.

There were many advantages of this. First, with the passage of time, most witnesses would be scattered. Many of the policemen would be transferred. It would be difficult for them to come to the court for evidence. It would also be difficult for witnesses to be produced at the same time, and this would mean no evidence which would delay the case.

A witness may also go abroad, or retire from service, or even die. Some policeman may be dismissed from service. All these things would help the accused. The moment he takes off his uniform a policeman's arrogance which stems from power, wanes. His conscience comes alive. If that does not happen, then he is more willing to be bought. A retired man can be bought at a lower price. Many time, Mohanji had got a witness for the price of a lunch, or, even a cup of tea. A man in retirement is no longer afraid. He is free to say what he wants.

Taking advantage of all this, the accused would have to be released. Mohanji had often got his clients off the hook in this manner.

Once he had a case, where a truckload of poppy husk had been seized from the accused. They were five in numbers, driver, conductor and workers. The owner had fled after bribing the police.

After careful consideration of all aspects, Mohanji had adopted this method. He explained things to his clients. If all the witnesses give evidence, then they would all go in for three years each. It would be better if they stay in prison for a month.

It is rare for the seized goods and all the witnesses to come together. If this happens by chance, then, Mohanji, following his plan, would make one or the other accused disappear with the accused being absent, the case could not proceed. The witnesses would go back without testifying. The sacks of husk would tear. Half of the goods would spill on the road.

Then the accused would return after a fortnight. A medical certificate would also be attached to his file. If the judge was a good man, he would admonish the accused, and give him bail again. If he was sharp, he would send him back to jail for ten-fifteen days.

With four of the five accused absent, the case lingered on for eight years. The case acquired a history sheet during this period. The judge was pulled up. Why has the case not been yet decided?

Earlier, the accused were pleading for dates and quick disposal. Now, the public prosecutor began doing that. Sometimes, all the witnesses could not be present. If they did come, the truck was not there. If the truck was produced, the seized goods could not be produced.

The judge was tired of giving new dates for the case.

The case was an important one. The judge was afraid of letting the accused off. Tired and irritated, he discussed the matter with the session judge.

The session judge was also tired of explaining himself to the High Court. He gave him the go ahead signal. If witnesses don't come, let them not. Give the police the final chance to present the witnesses. Then, decide the case.

When the situation did not change, the judge dismissed the case, and released the accused.

Pyare Lal did not agree with this suggestion. This method was not appropriate for this case.

The first reason was that the case was in the session courts. The police was very particular about complying with the summons of the sessions court. It was impossible for the witnesses to evade a sessions case.

Second, both accused in this case were already in jail. If the case lingers, longer would be the time they would have to spend in jail for no purpose.

Third, the way in which the courts had handled the case so far, made it clear that the government wanted to wind up the case as fast as possible.

What could have taken months, the magistrate had disposed of in days.

After the presentation of the challan, the file is sent for inspection. Whatever documents were not in the file, would have to be presented by the next date.

This was all taken care of in one day. The third day the case had been sent to the sessions.

The sessions court also had not been slow. It had admitted the charges on the first day, and asked for witnesses to be called in the first hearing itself.

The next hearing also came soon. The government had been given only a month's time to produce the witnesses. Continuous hearing for two days would be held.

Had the courts not received instructions from above, then, after the challan, scrutiny of documents itself should have taken care of at least a couple of days of appearances. Every hearing would have been after an interval of fifteen days. If the lawyer would have complained of not receiving copies of all documents, then, many months would have elapsed. Argument on which section is applicable which is not. Then, only would the case been sent to the session.

The session judge would have taken a few hearings to admit the charge. Many issues would have been debated. Is the charge really valid? If so, then, under what section? This would have taken care of many hearings. The judge may not be free, or the lawyer of one or the other party, may have been busy elsewhere.

Finally, the charge would have been admitted.

At least six months would have been for presentation of evidence by the witnesses.

Pyare Lal felt that the court was wanting to rush through the case. The lawyers, therefore, should not try to obstruct it. They should try some other way of securing the release of the accused.

The other method was of tying up all from the judges to the witnesses.

That all – from the judges to the public prosecutors, are creatures of money. They would not even oblige their own fathers without taking money for it. But Gurmit was of the view that they are not fools that they would not understand the seriousness of the situation. They would not jeopardize their careers for the sake of money.

Why not strike at the root of the problem?

'The witnesses must be influenced, whatever way it is possible. That would demolish the very basis of the case.' Gurmit had made the suggestion, as he was fully aware of the significance of evidence in a criminal case.

There was not a single eyewitness in Bunty murder case. The whole case was based on circumstantial evidence. The story was constructed on the basis of a chain of events. If one link were to break, the whole structure would collapse like a castle of sand.

Not a single witness in this case was genuine. The police had tutored all the witnesses to lie.

If the samiti could persuade the witnesses not to lie, and to speak the truth, it would be not going against any principle, and would also not be doing anything unethical.

After this wide-ranging discussion, the strategy was that the samiti should begin its fight on all fronts.

Contacting the witnesses should be considered more important than planning the various points of law.

According to this plan, different responsibilities were given to different units of the samiti.

Pyare Lal was an L.I.M. He was adept in locating the latest laws and case laws. He would look up each and every law which could be used in this case. He would spend most of his time in the library.

Mohanji knew each and every witness in the case thoroughly. He had the history-sheet of each witness, like the *pandas* of Haridwar. Which witness had relatives where? Which relation is he close to, and which he does not listen to? Is he avaricious, or does he pay more attention to recommendation? If he asks for a bigger amount of money, then what is his range? Each and every single fact was carefully noted in his file.

Which witness should be treated in which manner? Mohanji would guide the samiti in this.

Gurmit was already taking care of a very important responsibility. Through his police sources, he was receiving information about each change being made in the fire of the case. It were these changes which would ultimately pave the way for the freedom of the accused. Gurmit must carry on with this work.

The *krantikari* front was asked to contact the witnesses. This was a risky work. It needed someone who was astute and clever. Mohanji had already alerted the front.

The initial attempt should be to persuade the witness. If he is evasive, then a relative or a friend may be asked to persuade him, or even, some influence may have to be used. If that also doesn't work, then one should not hesitate in even using threats.

The witness should not be believed immediately. He should not be asked to resile from his earlier statement in the first meeting itself. The samiti must satisfy itself that if the witness does not want to help the samiti, at least, he should not oppose it. Even if a single witness were to inform the police of this plan of the samiti, the whole scheme would fall apart.

The students' wing was to organize processions and public meetings, in answer to the processions that the Sangh was organizing. They were also to write articles in newspapers after collecting new facts. They would also distribute pamphlets and put up posters.

The rationalists would act as a reserve force. They would monitor the various units and to ensure that they are working in coordination with each other. They would also help wherever found necessary.

Jeevan the trader, was to provide finances. His shop would serve as the office of the samiti.

With these plans, the low spirits of the legal cell were revived.

When there would nothing left in the case, then who could harm the accused? The cell members were elated.

Thirteen

The first hour in the court of the additional session judge was reserved for hearing of bail applications. But one could assess the importance being given to the Bunty murder case from the fact that let alone including any other case, even something as important as bail applications, was postponed for later.

The judge had not even attempted to conceal this motive of his. All parties concerned had been instructed the previous day.

First of all, the court clerk was summoned. After properly arranging the file it should be sent to the judge's residence. The judge wants to study all the facts of the case. If the judge is well prepared and knows the fact, the court's time is not wasted. Proceedings move fast.

The steno was also instructed to see that his typewriter is in good condition. He should be ready with a new ribbon in the typewriter, and adequate quantity of paper. It should not happen that as soon as hearing begins, the steno should rush to a thanedar asking him to get a new ribbon, and plead with a lawyer to get him a ream of paper!

The few cases that had been fixed for hearing tomorrow, the reader should give them dates for later hearings today. Once the hearing of the Bunty murder case begins, lawyers should not then crowd around in the court, asking for new dates.

The jail superintendent was also sent a message. The accused should be in the court at nine in the morning. It should not happen that lawyers and witnesses may flood the court, and the main actors not be present! No plea of inadequate force or breakdown of a vehicle would be accepted. Whatever arrangements he has to make, he should make today.

The public prosecutor, Bachan Singh, was asked to come to the judge's chamber. Things were explained to him. He should not take things casually, the way he normally does. He himself should come in time, and see that the witnesses are punctual. In this case he should not depend on the defence lawyer. He should himself go through the file and make the witnesses read their statements personally. In ordinary cases, a judge himself performs the functions of a public prosecutor. But, in this case Bachan Singh should look for no help from the judge.

Then, the lawyers of the defendants were called. They should make arrangements for any of their cases in the lower courts. If their personal attendance is essential, then they should get a later date right now. The lower courts had already been given orders. They are not to force any lawyer in the Bunty murder case to appear in their courts.

This was what happened on the day of the hearing.

The jail superintendent saw to it that the accused, both dressed in clean clothes, were present in the court at nine. A jeep with four constables was reserved for them.

The staff at the thana was on the alert. A large force of armed policemen was deployed in the court to see that nothing untoward happened. Nazir Singh, thanedar, was sent to the court to attend the proceedings. He had prepared

the case. It would be easier for him to identify the witnesses, to explain their statements to them and to present them to the public prosecutor.

In contrast to his habit, the public prosecutor was in the court half an hour before time.

The witnesses were more eager than he was. The first witness was the medical officer who had conducted the postmortem on Bunty. He had arrived in the court even before Bachan Singh had. He was followed by the fingerprint expert. The handwriting expert had come from Chandigarh. He was a little late.

The government employees went to the public prosecutor's office to wait. All the other witnesses were bunched around Nazar Singh, who stood outside.

Bachan Singh had no problem with the experts and the doctor, what could he tell them? They knew much more than Bachan Singh himself did. As it is, they were government employees. They would depose the way the government wanted them to. If they do not, their jobs may be in danger! They were also good witnesses! Each one of them had attended umpteen cases. The same routine questions and the same trite answers! If their intentions are right, then, no lawyer can budge them from their statements. That was the reason Bachan Singh had no worry from that quarter.

There was another reason for Bachan Singh not being worried. All the lawyers of the defendant were novices. Pyare Lal was to question the witness. What does that drunken lawyer know what law is! He had no idea of medical jurisprudence, and no knowledge of the expertise necessary in examining a handwriting expert. He would have to retreat after posing a few silly questions.

Mohanji did understand the case, but he had so far appeared only in lower courts. This was his first session case. Even senior lawyers tremble in the sessions court. He would not be able to cope with this case.

Gurmit had been a public prosecutor. He was hardworking, but there is a world's difference between private practice and being a public prosecutor. The public prosecutor gets everything ready made. He only has to say – 'What happened then?'

'Then what happened?' If you need a legal point, the defendant's lawyer gets that. A lawyer in private practice has to weave the warp and woof of the whole case all by himself. He has to demolish the unassailable case built by the police using his own mental prowess. And this ability comes only in time.

Banking on these conclusions that he had personally arrived at, Bachan Singh was not taking the case seriously, despite the warning by the judge. He was busy getting acquainted with the witnesses and in gossiping with them.

He needed medicines from the doctor. His daughter was an epilepsy patient. She needed to be given a large dose of her medicine daily. Earlier, Dr. Gupta had given him the medicines he needed. He had now changed. Dr. Bhag Mal should now take over this responsibility. Bachan Singh was himself feeling weak since the last many days. If he gets a bottle full of becasules it would be good. He also needs two tubes of sophramycin. Kids are always getting hurt. Then cotton

is freely available in the hospital. If he gets two packets of cotton, that would also help.

The doctor was sceptical about the medicines in the hospital. A healthy person may fall sick after taking those medicines. He immediately wrote a note for Ramesh Medical Hall. Bachan Singh should buy the medicines there, after showing this note.

The doctor was asked to help himself to some food, Bachan Singh now got busy with Dhyan Chand. He had some work with him also.

The time was short. Bachan Singh quickly explained things to him. He handed Dhyan Chand a piece of paper. The title of a case was written on the paper. Bachan Singh needed Dhyan Chand's help in this case. The party was accused of putting up an impersonator and getting twenty acres of land registered in their own name. The police wanted to match the thumb imprint on that registration deed with another thumb imprint on another deed. This registry had been given by the plaintiffs and the thumb imprint on that was genuine. The police had sent both the documents to Phillaur for scrutiny.

The truth was that the two imprints belonged to two different persons. Now, the accused could only be saved if the report from Phillaur says that the two thumb imprints are of the same person. The accused were Bachan Singh's close relatives. It was a matter of honour, and now he was asking Dhyan Chand to uphold his honour.

'You are yourself an intelligent man, *Vakil Sahib*. This is not handwriting or signature, that one can give any opinion. Handwriting keeps changing from time to time. But, the impression of a thumb remains the same throughout one's life. How can two different imprints be certified as similar?'

This was risky work for Dhyan Chand. Rather than getting embroiled in such dangerous work, Dhyan Chand thought it better to give a clear answer and avoid any shady deal.

'Don't you worry. Kinship is one thing. I'll see you get your full fee. Ten thousand, five I have with me. Take the rest after the report. That is my responsibility.' Bachan Singh changed his stance.

'You only get another thumb imprint on the original one, so that it is unidentifiable. I will take care of the rest. I have got the record at tehsildar's office changed. The one who had put the imprint is already dead. This is the only proof left. Once, the imprint is unidentifiable, then, our work is done.'

Dhyan Chand could not refuse the five thousand.

'Many people will examine these documents before they reach Phillaur. If there is an enquiry we can say we do not know who had played the mischief.' And Dhyan Chand gave his word to get the work done.

Bachan Singh was relieved at having got this tied up. He went into his office, and sat down in a relaxed manner. The judge may now start the case whenever he wants.

Fourteen

The courtroom was full before ten.

A larger crowd stood outside the courtroom. A big group of Sangh workers stood under the *peepal* tree, waiting for an opportunity to raise slogans.

Many samiti workers were also there, scattered over the premises. Even then, there was a secret coordination between these groups. At the first slogan raised by the Sangh, they would shake the skies with their slogans.

The court had divided the witnesses into two groups. The first group consisted of the experts and second was of ordinary witnesses. The experts were to appear in the morning. In the afternoon Modan the cart vender, Babu, the rickshaw-wallah, the peon of the school, Bhago who was Meeta's neighbor, and Ghafoor, the shop keeper in his basti were the witnesses.

The lawyers had also divided their work in the same manner.

The experts would be handled by the public prosecutor. The others would be handled by Bhandari.

Pyare Lal was to conduct the cross examination of the experts, and the other witnesses would be taken care of by Mohanji.

The defence lawyers had come to the courtroom by quarter to ten.

The public prosecutor was also in his chair before five minutes to ten.

At the stroke of ten, Mr. Nath walked into the court, from the side door.

All present in the court rose in honour of the judge. And kept on standing till the honourable judge had not taken his chair.

As he took his chair, the clerks, lawyers and all other present in the court room, also took their seats.

The reader, sitting on the right of the judge, glanced at the list of cases for hearing.

There was only one case listed for the day: the State versus Pala and others..

Picking up the list, the reader read out the title of the case to the orderly, and put the file before the judge.

As the reader pronounced the name of the case, the lawyers from both sides, left their seats, and took their places at their lecture stands.

The orderly called out the name of the case at the door of the court room:

'State versus Pala Singh and others.'

The constables, with Pala and Meeta in handcuffs, were ready for the call. They immediately brought the two accused into the court.

The two prisoners bowed to the judge. The constables saluted. Then, they all came up to the dock, meant for the accused.

The first witness was Dr. Sharma. He immediately entered the witness box, with the post mortem register.

The hearing had begun. He took the oath. I shall speak the truth, and nothing except the truth. So help me God.

The doctor had conducted the postmortem on a child named Bunty, on the evening of 20 October. After the examination, he had found that the child had been hit on the head with a rod, with the intention of killing him. The child did not die of that blow. Then, the same rod had been put on his neck and pressed. There were tear stains on his cheeks. His eyes were protruding. He was emaciated. And, he was fully naked.

Had it been Pyare Lal's purpose to show off his legal prowess, he could have put difficult questions to trip the doctor. He could have also indulged in legal wrangling over each question. Could have argued with the judge on small legalities. And, presented legal precedents in support of his arguments.

Instead, he asked the doctor to clarify.

The doctor's report had stated that when the child had died there was nothing in his stomach. How long had it been empty, in the doctor's opinion?

The doctor was taken aback. The doctor had not been very careful in conducting the post mortem. He had been told that this was a killing by the terrorist. The guilty would not be caught, and there would be no witnesses. The doctor had only to write the report. Keeping this advice by the police in mind, the doctor had written that the stomach was empty. Had he shown that there was something in the stomach, then the viscera would have had to be sent for chemical examination. He would have to go through all the various related problems. The doctor had taken the easy way out to avoid all those problems. But, this question by the lawyer had again raised the same problem.

'In appeared that the child had not eaten anything since one week,' the doctor answered. In order to stop any further questions, he shot an arrow in the dark.

'There had been a medical examination at the school, two days before the abduction of the child. At that time, the weight of the child had been thirty kilos. In the postmortem report, it is given as twenty kilos. What can be the reason for this loss of ten kilos in twenty days?'

'Hunger and fright,' the doctor had no problem in answering this question. He had been merely asked to give his opinion.

'Even if one is terrorized, but gets a full meal to eat, then, can there be this sort of weight loss?' Pyare Lal had asked the next question.

'No.'

'This means that the main reason for the loss of weight was hunger.'

'Yes sir.'

After getting the first point cleared up, Pyare Lal now took up the next point. This was about the diameter of the rod, with which the child had been murdered.

'A child's head is both small and delicate. What would the diameter of a rod be, which does not break the head of the child?'

The answer to this question was clear. The doctor had described the length, breadth and depth of the wound in his report. According to the report, the wound could have been inflicted by a rod of one and a half or two inches diameter.

‘It means that any rod used in a window may have been used to inflict the wound?’

‘It seems so.’

‘Could this wound be inflicted by a rod which is about four inches?’

‘No. Such a rod would have reduced the child to a pulp!’

‘Thank you, you may now go.’ Pyare Lal had got the doctor to say what he had wanted.

After the doctor’s departure, the public prosecutor had to call the name and profession of the next witness. Then, the orderly would have called him. And then the deposition would begin.

But Bachan Singh was upset by the questions that the defence lawyer had asked. Why had he asked these questions? Why did he ask about the weight loss of the child? This he could not comprehend. But, he clearly understood the implication of the diameter of the rod. The post mortem report had mentioned the same dimensions that the doctor had in his statement. But, the fool of the thanedar had claimed to have recovered a rod from the accused, which was many times bigger than this. Even a man like Dara Singh* would not recover from a wound inflicted by such a rod.

Bachan Singh was irritated that the defence had scored a point in the very first hit!

* A famous wrestler, known for his physical prowess.

‘Lets see! Such small victories are not enough to get the accused released!’ He consoled himself, and now announced the name and profession of the second witness.

Dhyan Chand was familiar with the law and rules of evidence.

He gave his name and address, took the oath, and began his deposition.

The scientific officer had compared the fingerprints in this case.

The accused had made one blunder while disposing Bunty’s corpse. They had forgotten to put their gloves on, as they had transported the body to the hospital, and thrown it in the vacant room. This resulted in their leaving a few fingerprints in the room. These fingerprints had been lifted by the experts. These samples had been then properly sealed in a cover, and sent on to the fingerprints’ bureau at Phillaur.

The accused had then been arrested in about fifteen days after this. Their fingerprints had been taken in the presence of the tehsildar. The next day, a man had been specially sent to Phillaur with their fingerprints.

The bureau had been asked to compare these two sets of imprints, and to give their opinion whether they were the prints of the same persons or no.

Dhyan Chand had performed this duty. He had used all the methods and expertise, and had arrived at the conclusion that the fingerprints lifted

from the site were those of the accused, Meeta. His report, therefore, proved that Meeta had participated in the crime.

Pyare Lal, before he began his cross examination, showed the report to Dhyan Chand.

It was clearly written that one parcel had been deposited with him by constable Mukhtiar Singh, on 20 October; and it had been sealed by the thanedar, Nazar Singh with his seals. That parcel had contained the imprints lifted from the site where the body had been found abandoned.

The report also was correct in stating that the second parcel had been received on 5 November. This had been brought by constable Surjit Singh. This also had been sealed by thanedar, Nazar Singh. This parcel had contained the imprints of the both the accused which had been taken after their arrest, in the presence of the tehsildar.

Dhyan Chand had compared the two sets of fingerprints taken from these two packets and given his opinion.

So far the cross examination was peaceful. From the steno the judge – all felt that Pyare Lal's questions were foolish. All this is in the report itself. What was the need to ask the witness to confirm all this?

Whatever little nervousness Dhyan Chand had felt earlier, had also disappeared by these naïve questions.

Now that the witness was in full glory, Pyare Lal began the second round of cross-examination.

Dhyan Chand was asked to open the official register on the page where the parcels received, had been entered.

'Look at the register and tell the court at what time was the parcel received, and who had sealed it?'

As soon as Dhyan Chand opened the register, he was taken aback.

Here, the name of the one who had brought the parcel was mentioned as Surjit Singh. Further, there was another mix-up. According to the register, the parcel had been sealed by Dev Raj, the assistant sub-inspector. Both these facts did not tally with the facts in the report. It was clear that Dhyan Chand had opened some other parcel in place of the parcel deposited on 20 October. What was this? Dhyan Chand could not understand what had happened.

Dhyan Chand again looked at his report, and then, at the register to ensure that he had not been mistaken. Both were correct in what was written there. Then, why this discrepancy? Bewildered, he looked at Pyare Lal, then at the judge, and then, at Bachan Singh.

'What do you have to say?' The judge asked, when Dhyan Chand had failed to explain.

'According to the register, Surjit Singh deposited the packet, and it had been sealed by Dev Raj, sir.'

Dhyan Chand's voice was shaking as he answered. He was in a sweat.

There was silence in the court. This discrepancy between the facts as stated in the register, and as noted in the report, came as a surprise for one and all. It could be the basis of the release of the accused!

‘This is a clerical mistake, sir. A mistake was made in writing the names.’ This clarification was offered by a flustered Bachan Singh.

The judge brushed aside the answer Bachan Singh had given. He was ordered to keep quiet.

Taking up the report and the register he himself scrutinized them.

‘Now tell the court where is the parcel that Surjit Singh had deposited on 20 October?’ Pyare Lal asked after the judge had finished his inspection.

Dhyan Chand had no knowledge of that packet. He tried to make some excuse.

‘That was the parcel of 20 October. The name and details have been wrongly entered. No packet had been brought by Mukhtiar Singh on 20 October to Phillaur. How could he deposit a packet that day?’

‘The answer to that would be given by your own register. Open it on page for 2 November, and read out the entry #12.’

The entry said that on that day, Mukhtiar Singh had deposited a parcel in the office. Which contained documents related to this case. This parcel had been sealed by Nazar Singh.

‘Now, look at your report, and tell us if there is any reference to this parcel there?’

Dhyan Chand could find no such reference in his report. What had happened? How did this mix-up take place? It was beyond Dhyan Chand. There was a look of acute bewilderment on his face, like a man caught in the wrong.

The defence gave him enough time to give his answer. He should take his time to think about it with a calm mind and clear up the confusion.

Dhyan Chand could only give some information, if he himself knew anything. He stood there, silent, as if turned to stone.

Dhyan Chand’s report had now become irrelevant. It was enough to prove that it had been prepared according to a premediated and well-thought out plan.

‘What is the truth?’ The judge was also now anxious to find what the real situation was. He put the file on one side. He asked impatiently as he was anxious to understand what had actually happened.

The truth was that the entry of 20 October was correct. That parcel had been prepared by Dev Raj and had been deposited by Surjit Singh. The trick was that the packet had contained only blank sheets of paper, merely to meet the requirement of law. The police had already decided that when the culprits are caught, their finger prints would then be substituted in place of these blank sheets.

The decision to arrest the two had been taken on 1 or 2 November. The first thing they had done was this. Meeta’s fingerprints were taken and sent to Phillaur.

The responsibility of depositing the packet was given to sub-inspector Sadhu Singh. He had been in the Police Training College at Phillaur for many years. He knew almost everyone there.

Mukhtiar Singh had been sent with Sadhu Singh. The substitution was kept a secret from Mukhtiar Singh. Two packets concerned with two other cases had been given to him so that he should not have any suspicion.

Sadhu Singh had not visited his village since many days. He did not feel that it was necessary for him to go to Phillaur or else the work would not be done. The work would be done by money. Mukhtiar Singh could also spend that money, and get the work done. He therefore, gave Mukhtiar Singh fifty rupees more than the amount that was usually paid to the clerk, and had told Mukhtiar Singh to go to Phillaur alone. He had given him a letter for the clerk, telling him what had to be done. Handing the money and the letter to Mukhtiar Singh, Sadhu Singh had caught the bus to his village.

Had Mukhtiar been aware of the facts, he would have got the substitution made under his personal supervision.

When the clerk agreed to enter both the packets in the register for a single payment, then Mukhtiar Singh was reluctant to give him the extra money. When the clerk has agreed to do the work, then, why pay him extra? Then, why also give him the letter of recommendation of the work? Mukhtiar pocketed the extra fifty, and tore the letter.

The clerk took all the three packets, entered them in the register, and gave the receipt to Mukhtiar.

The mix-up had occurred at this stage. Dhyan Chand had noted the date 2 November, and compared the prints with the prints it contained, and had arrived at his conclusion. The original parcel of 20 October had not even been given to him.

‘But the report says that this parcel had been deposited on 20 October?’ The judge wanted this to be clarified.

Dhyan Chand had created this confusion deliberately. The district attorney had spotted this mix-up while checking the report of the scientific officer, before the challan was presented. The police receipts stated that the first parcel had been deposited on 20 October. In the report it was shown to have been deposited on 2 November. Why this discrepancy?

Nazar Singh had hurried off the Phillaur.

Dhyan Chand made a second report, after having made Nazar beg him to do so. He had changed the date from 2 November to 20 October, but had not changed the names of the depositor and the one who had sealed the packet. Why should he have made this change? He had not been told anything about this. Dhyan Chand thought the mistake that he had made, had been corrected by him.

‘This is a cock and bull story, sir.’ The government lawyer had a serious objection to this statement of Pyare Lal.

‘It is your habit to spin yarns, Sir. That is why your story has no leg to stand on. I have several proofs to substantiate my story.’ Pyare Lal retorted to Bachan Singh’s snipe, and began presenting his evidence.

Even if the difference in the dates was ignored, it is clear that the parcel from which Dhyan Chand had taken the fingerprints for comparison, had been prepared by Nazar Singh. How did Nazar Singh prepare that parcel when he was not even posted at the thana at that time? Had he prepared the packet even though he was posted at some other thana?

That Mukhtiar Singh had deposited a parcel at Phillaur on 20 October was a blatant lie. He was present in the town on that day. Not only in the town, but he was present in this very court, giving evidence in a murder case. Then, how and when did he go to Phillaur?

On the other hand, there were several proofs of Surjit Singh having gone to Phillaur. First, the daily register at the thana has an entry of this. Dev Raj, who was the investigating officer at that time, had also written a statement by Surjit Singh in the daily register. Pyare Lal read out the statement. An important fact was that Surjit Singh had also drawn the travelling allowance and daily allowance for that trip. He presented the copies of the bills.

This created a sensation in the court when Pyare Lal presented a copy of the report Dhyan Chand had prepared earlier and had later torn up at Nazar Singh's request, in the court.

'Is this report yours?' Pyare Lal asked the scientific officer showing him the report.

The judge was now very angry and also astonished at all this rigmarole.

'Give a clear answer. Who is responsible for this chicanery? Else I will immediately send you behind bars on charges of falsifying the record.'

This threat by the judge demolished whatever bravado Dhyan Chand had still retained.

He recalled an incident at Phillaur involving a doctor, who had also falsified the hospital record the way Dhyan Chand had done. He had been caught, and sentenced to nine months' imprisonment.

The scientific officer thought discretion better than valour, and confessed. Having got the witness to reveal the true situation, the defence had won this round of cross examination.

The government advocate did not have the courage to send for the third witness. The first two had done enough harm. And, in his heart he knew that the third witness would not do much better.

The government advocate was furious, not only at the witness but at Nazar Singh. If he had to change the fingerprints, he should have gone personally. The police department is a mean department. When it comes to taking a bribe, then these policemen open their mouths wide, like crocodiles. If, once in a blue moon, they are required to pay, then they cringe and cry.

Bachan Singh was also upset at his own carelessness. These documents had all been in the file. Had he only examined them carefully, he would have spotted the discrepancy. He was also annoyed with Surinder Kumar. It was the job of a junior to detect such mistakes. If the senior has to read each and every document word by word, then, what use are these juniors? But, he could not take

any action against Surinder Kumar. It would prove that he himself also had been equally casual!

Bachan Singh wanted to go through his papers carefully before calling the third witness, but where did he have the time? The judge had already summoned the third witness.

Kapoor Singh was an expert on handwriting. He had come from the forensic laboratory at Chandigarh.

His evidence also was similar to Dhyan Chand's. He had got one parcel on 20 October, which bore the seal of thanedar Dev Raj, and had been deposited in the laboratory by Chiranji Lal, constable. This had contained the letters written by the accused from time to time to Bunty's family, asking for ransom.

The second parcel he had received on 5 November. This packet had been brought in by Chiranji Lal. It contained the specimen handwriting of the accused, Pala, which had been obtained in the presence of a magistrate. This parcel had been prepared by Nazar Singh.

Kapoor Singh had also, like Dhyan Chand, by using the various scientific methods, had reached the conclusion that all notes for ransom had been written by the accused, Pala. There was not the slightest difference in the two handwritings. Thus, Pala was a partner in the crime of kidnapping Bunty, for ransom.

'What has been changed here, Vakil Sahib?' The judge asked sarcastically, trying to lighten the tense atmosphere in the courtroom. There was laughter in the court.

'Aage age dekhi ye hota hai kya!'

('Lets see what happens next!')

The laughter in the court left Pyare Lal unmoved. He was all set to take the battle further.

'Then, lets see his record also!'

'No sir, that would not be necessary.'

'Why?'

'No ordinary and insignificant constable was sent to Chandigarh for the substitution of one packet with another. The investigating officer had personally gone to bring away the actual letters and deposit letters written by Pala at the laboratory. This had been done with the consent of the senior officers. Therefore, there was no possibility of the occurrence of such a mistake.' Pyare Lal looked sharply at the expert witness, while explaining to the judge why the record here was not bungled.

'Yes... yes... proceed.'

To prove how capable Kapoor Singh was as an expert, Pyare Lal now referred to eighteen cases by name, which had been sent to the witness for his expert opinion, in the last four years, by the defferent police stations of this sub-division. These cases referred to signatures on registration deeds, or cheques. Letters had also been sent for verification, and also cash books for identification of their writers. These handwritings were not of persons like Pala who rarely wrote

anything. These were persons, who have fully formed handwritings, and are writing frequently and regularly, and there were thousands of specimens of their writings.

‘Except for two cases, do you know what his opinion was in the other sixteen cases? Writing is not clear.’ Some other specimen of the handwriting of the accused should be sent, and which is approximately written around the same time, as the specimen sent earlier.’ The purpose here is very clear. Nothing would be clearly established, and the cases would be dismissed, or weakened with this report.’

‘Is it correct that you could not give any opinion in these cases?’ Pyare Lal asked him, after giving the details of all these cases.

Kapoor Singh was shaking in his shoes since Pyare Lal had exposed the exchange of letters with the consent of the experts.

This new attack completely floored him.

He had no other answer except to nod in agreement.

‘All writings were correct and clear. Private experts could give definite opinions on those samples. Those opinions are also accepted by law. You do not give a definite opinion either because you don’t know your job, or your intentions are not good.’

The witness had now lost whatever little self control he had, and Pyare Lal, wanting to demoralize him further, had attacked his integrity.

Kapoor Singh now totally unnerved. Pyare Lal now came to his real agenda.

Lalaji had received four letters of threat till Bunty’s murder. All these letters had been taken away by the police. These letters had played an important role in the arrest of the accused. That was the reason why the samples of their handwriting was sent to the expert. Out of the two accused, only Pala knew Punjabi. Sample of his writing was obtained during investigation.

Kapoor Singh had made his report on the basis of the writing of those four letters.

When Kapoor Singh examined his report, as Dhyan Chand had done, he found that there were eight letters, instead of four attached to the report. How did the letters turn to eight from four? He could understand that, but, what he could not understand was how did the original letters get clipped to the report!

According to the official procedure, every single document received in the office, should have a receipt number and title of the case on it. It is then stamped with the departmental seal, and signed by the concerned officer.

These rules had been followed, on both, the original and also the substitute letters. The latter had to replace the original letters, and they had been given the numbers of the old letters. As far as Kapoor Singh recollected, the original letters had been destroyed. Both the sets of letters bore his signatures, and he could not deny that. Every letter had a page number on it. The list also had a list of documents attached, and this number would tally only when all the letters were counted.

A serious bungling had been detected. The judge would take a serious note of this bungling in his decision. But Kapoor Singh was not a puny

officer, like Dhyan Chand. Dhyan Chand had been cheated. Here, the whole thing had been done by Kapoor Singh himself. If he accepts his fault, then he would lose his job, but also be liable to punishment.

Kapoor Singh thought it best to deny everything. He accepted that the new letters were valid. The old letters and his signatures on them were either forged or his signatures secured by fraud.

The judge was infuriated when the expert denied his own signatures. This amounted to a contempt of court.

‘If you cannot recognize your own signatures, then what sort of an handwriting expert are you? Are these your signatures or no? Answer yes or no.’ The judge threw the old letters before Kapoor Singh.

After wiping his glasses a couple of times, and peering at the signatures through his lenses, Kapoor Singh agreed that they were his. The judge was all the more incensed.

‘Now also tell us if you have signed these letters yourself, or has anyone got them signed by you by fraud?’

The judge wanted to draw his own conclusions.

Kapoor Singh was caught in a very bad situation. If he admits that the signatures are his, his crime is established. If he says his signatures were taken by fraud, then it exposes his own casualness towards his duty. He thought it better to admit to being careless, rather than to being a criminal.

‘The witness is an absolute liar. He is lying at every step. Therefore, his evidence is not to be relied upon.’ The judge, highly upset at the bungling of Kapoor Singh, passed strictures against him.

With these comments of the judge, the list of the expert witnesses was completed.

It had been decided that these witnesses would be examined till lunch. Pyare Lal had demolished their credibility by his factual cross examination. The work was over by twelve noon.

The non official witnesses were to be examined by Mohanji. He was already in the courtroom, even before Kapoor Singh’s evidence had been completed. The case was clearly going in favour of the defence. It would be better to crossexamine as many witnesses as possible.

Bachan Singh was reluctant to call any more witness. The remaining witnesses should be called in the afternoon. Right now, neither he nor the witnesses were ready.

Nath Sahib also wanted this. The defence had broken the backbone of the case. The government advocate must get some time to retrieve the situation.

‘The other witnesses would be taken after lunch.’

With this, the judge walked out of the courtroom.

Fifteen

The evidence of the experts had created problems for each and every person connected with the prosecution.

There was not a single witness who could openly say that he had himself seen Bunty being killed. The whole case was based on circumstantial evidence. The police had created a set of circumstances where they could claim that no one other than the two accused could have killed Bunty. The police had tried to use the opinion of the experts to strengthen this story. But, their statements had hurt, rather than helped, the prosecution's story.

Nazar Singh was most upset and worried. He would suffer the most from the fallout of what had happened this morning.

It was he who had been assigned to attend the case, and as officer in charge it was his duty to see that every witness supports the prosecution's story. He had been given full power to see that this purpose is achieved. He could beat the witnesses. If the witnesses were government employees, he could write to their departments to take action against them. If a witness was not in his control, he could ask for help from his senior officers. They would see to it that the witness behaves himself.

Nazar Singh had not neglected his duty in any way. All witnesses were educated and government officers. What could have Nazar told them? He could only take care of their needs, and he had not spared himself in looking after them. If anyone had asked for tea, he had sent for milk. If there was a demand for water, he had ordered juice.

This may be overlooked, and the bungling in the records was something that had been done at the behest of his superior officers. But, he would be the scapegoat.

He had pleaded with the government advocate many times. Had promised him a carton of whiskey. Nazar Singh's honour was now in Bachan Singh's hands. It was he who could either save him or destroy him. If the public prosecutor could not help him, he could at least promise that he would not write to the captain, putting all the blame on him.

The condition of Dhyani Chand and Kapoor Singh was much worse. Suspension, enquiry, and then, reinstatement were common for police officers. But this was not the way their departments worked. Important documents are withheld at the smallest complaint. And this means, all roads to earning are blocked.

The experts were also not at fault. All these changes and substitutions had been done to strengthen the official stand, not for any personal gain.

The government advocate should now retrieve the situation. He should talk to the judge, and get the culprits punished. Once they are found guilty, all failure would be forgotten. If this is not possible, then he should talk to the defence lawyers. They may get the accused released, but they should refrain from

highlighting the mistakes of the experts. If money has to be spent, Bachan Singh should not hesitate. The experts are willing to spend with an open hand.

They can all go to hell, Bachan Singh was himself in a mess. He would be the first one to be pulled up!

Bachan Singh was annoyed not only with the experts and the investigator, but also with Bhandari and Yuva Sangh. Bhandari was a strange man! He had not even stepped into the court once, right through the entire cross examination. It was his duty to come in and look after the witnesses. He would have told Bhandari what needed to be done. The judge was virtually scolding one witness after another. They were not able to face his anger and were falling like ninepins. If Bhandari could have got the Sangh workers to raise one slogan at least, the judge would have himself got frightened, instead of frightening the witnesses, and the case would have gone the prosecution way!

Even now, things were not lost. The expert is after all an expert! He only gives his opinion. It is not necessary that it should always be correct. If the witnesses who were on the spot, come out with strong evidence, then the judge has to give more weightage to their evidence, rather than that of the experts. His best bet, now, was to ensure that the private witnesses should be able to stand up to the grilling by the judge and the defence.

Avoiding the experts, Bachan Singh made a beeline for Bhandari's cabin.

In the morning Bachan Singh had thought that he would attend to the evidence of the government witnesses, and Bhandari would see to the private witnesses. However, the experience of the morning had forced him to change his plan. He now wanted to attend to the private witnesses himself, and also to explain to them what their statements should be. He had got the court adjourned at twelve, with this in mind. He had two hours in which to do this. Giving up all thought of lunch, he wanted to work with the witnesses.

Bhandari's cabin was crowded. From Lalaji to the president and secretary of the Sangh – all were there. Besides the private witnesses, policemen were also there. Bhandari's juniors were all busy training the witnesses.

They were making them repeat what they had to say in the witness box. They had been made to memorize their statements yesterday.

Bhandari had his own style of explaining evidence and making sure that the witness would deliver the goods. He got a set of the site prepared in his large, rambling bungalow, according to the story that the police had prepared. Weather, time and atmosphere – all would be recreated. The witnesses and substitute accused would be made to stand or sit in the places and manner indicated by the police in its site plan. If it was a case of murder or a brawl, then the accused would also carry the same type of weapons, that had been seized by the police. The whole story would be enacted as detailed in script. Who hit whom? With what? Who was challenged by whom? Who ran in which direction? Who helped whom? The whole story was repeated. An invented tale would become real. This was why, the cross examining lawyers do not get a chance to crack the witness, It was this quality of Bhandari's which often made plaintiffs seek him out, and he was

successful in getting culprits punished. In this case the story was strong, even then Bhandari had got a set prepared, and explained to the witnesses, what was their statements.

The witnesses had understood their roles yesterday itself. Today, they were being made to rehearse what they had learnt yesterday.

The witness would read the statement of the police. Then, the meaning of each line would be explained to him. Bhandari would himself hear the witness repeat his statement. When he faltered, he would be made to repeat it again.

When the witness had learnt his lines, he was told what questions he may be asked by the defence lawyers. He was also made to repeat his answers. Finally, he was given one mantra. If he doesn't know what answer to give, then he should say – 'I can't remember.'

After Bhandari was satisfied, then the witness would be handed over to his juniors. The witness would then go through the same process, all over again.

Bachan Singh was relieved to see the warlike preparations. If these witnesses do well in the court, then there could be some relief.

Bachan Singh in turn questioned each and every witness. The witnesses stood firm, Bachan Singh asked them numerous questions, but not a single one of them faltered.

Bachan Singh felt that he was needlessly worrying about the witnesses.

Reassured, Bachan Singh now discussed the other problem with Bhandari. The Sangh had done enough harm by not raising slogans. Now, this mistake should not be repeated.

'You don't worry. There would be no mistake this time. As soon as the court begins, slogans would be raised with full gusto!'

With this answer from Bhandari, Bachan Singh came back to the court. It would be better to get as many witnesses through today as possible.

This was also Mohanji's aim. He had got a report from the samiti. All the witnesses appearing today would deny their statements. It would be better to get as many as possible in the dock.

With both the lawyers in the court, the judge also took his chair.

As soon as the court began, Mohanji raised many objections.

First, these witnesses are being threatened.

They have been in the custody of the police since yesterday. Even now, they are in the office of the government advocate. Many lawyers are busy making them learn the statements they have to make in the court. What does this mean? They would themselves tell whatever they have seen.

Second, some witnesses have been drugged. They are no longer capable of making a proper statement. They would say whatever the police had tutored them to say. It would be better to postpone the hearing.

Bachan Singh, Bhandari, and the judge, all three were incensed at this proposal of Mohanji.

This is not possible. Neither the public prosecutor can present so many witnesses next time, nor can the judge sit idly for the rest of the day. The witnesses would be examined. If there is some other suggestion the court can think about it.

Bachan Singh was happy at the judge's insistence on going on with the proceedings. The idea of a postponement meant that the defence was shaky! Bachan Singh felt that this was the best time to present the witnesses.

If a new date cannot be given, so be it. The court should satisfy itself that the witnesses are in good health, and no one has been threatened or under pressure of any sort.

No one had any objection to this. In fact, this was the duty of the judge.

All the witnesses were brought into the court.

The judge asked each one. Neither was any one ill, nor threatened and frightened.

The judge took care of one other duty. He patiently explained to the witnesses that they should speak the truth without any fear.

As the defence had objected, the witnesses were told not to go to the public prosecutor's or Bhandari's office. They were also told not to sit on the benches outside the court. They were important witnesses in an important case. Any party can harm them.

The witnesses were told to sit in the office of the clerk of the court, and instructions were given not to let them leave the room or let anyone else to come into the room to meet them, until all the witnesses have appeared in the court.

After all the objections of the defence had been met, the proceedings began.

As soon as the orderly gave the call for the first witness, loud slogans could be heard outside –

‘Hang Bunty’s murderers....’

All hell broke loose, Only clamour and din could be heard outside.

‘Release the innocent...’

‘Arrest the actual murderers...’

‘Give justice to Pala and Meeta....’

Many slogans in answer to the one raised first, could be heard.

The police intervened to ensure that no fight should break out between the two groups. They were run out, some by argument and others through threats.

The proceedings of the court were stopped for about half an hour. Bachan Singh regretted the failure of his plan. It seemed that the Samiti had come prepared to face all eventualities. The Sangh workers were vastly outnumbered by them. They had been silenced after a few slogans. The samiti's slogans could be heard till the end. Bachan Singh was now worried. This may have an adverse effect on the judge.

All this had wasted the precious time of the court. Also, it was a contempt of the court.

Lawyers of both parties admitted their fault. With a great show of innocence and regret they apologized for the unpleasant incident.

The judge was willing to overlook this, but the lawyers should see that all the witnesses appear today, even though the court may have to sit up till midnight.

Both sides accepted this with alacrity.

The proceedings began again in a very pleasant atmosphere.

Sixteen

The first witness to be called was Modan.

According to the police report, he has a push cart which he parks in front of Bunty's school, selling sweets and other eatables, since the last year. He knew Lalaji and also his grandson, Bunty. Lalaji himself daily brought Bunty to school and picked him up after school. He also knows Pala and Meeta. The day Bunty was kidnapped, he had seen them loitering in a suspicious manner near the school. They had bought some peanuts from him, and stood near his cart surveying the area. They had come back at half time. Bunty was with them. One was carrying Bunty's satchel and the other his lunch-box. They had bought some toffees and biscuits for Bunty. 'Where are you taking Bunty?' Modan had asked them, but they had not given him a satisfactory answer, and had left the place in a rickshaw.

Modan had been learning this statement since yesterday. Bhandari knew he was wasting his time. Appearing as a witness was nothing new for Modan. This was his job. He fully well knew what he had to say, and what he should not say.

Before he had taken up this work, he had been a police informer. In good times, his father had committed a murder. Modan had to visit the thana frequently to attend to his father's case. Whatever money they had, was spent on lawyers and munshis. He had nothing to give to the police for all their kindness to him.

This was the way he had found to please the police inspector.

He had become a police informer.

The police officers had helped him. They gave him a share of the money they got from the cases he had brought, Modan was now comfortable.

Then the laws changed. The courts now insisted that the police must include a responsible person in the party they took to conduct a raid.

Modan was made a guarantor by the police. Modan had been impatient to change the nature of his work. He had, by now become notorious as an informer. Whosoever may be arrested, Modan would be suspected of having passed on the information to the police.

He had also been beaten up a few times.

It was he who had brought information about the illicit still being worked by the nambardars. He had thought that they were a rich party and this would make good money for the police, and also him. But these people brought a relative to recommend their case. This relation happened to be deputy superintendent in police. The report had already been filed, and he could not get the case dismissed. But he did get to know the name of the informer. The nambardar's men had threatened Modan. He had begged and pleaded to be forgiven before a full panchayat, had rubbed his nose on the ground, and only then had he had been allowed to go.

Another time, illegal guns had been recovered from the Choudharys. They had suspected Modan. Without trying to verify the truth, they gave Modan a sound beating at night. He had spent a month in the hospital. He was

fed up with his work. Why should he do this duty work? Police gets the money, and he is given a few crumbs! Modan swore to give up this at the advice of his wife. Once he is out of the hospital, he would no longer help the police.

But when starvation stared them in the face, his wife had herself asked him to go to the police station.

He was happy this way. Whichever accused he was to give evidence against, was frightened of him. Instead of threatening or fighting with him, he would try to appease Modan.

There was also more money in this. He would be asked to give evidence every week or ten days. The accused would fill his pocket, in exchange for the dismissal of the case against him.

He had been beaten once in this work also. It was a case of rape, and to help the accused, he had not appeared in the case. The girl's party had caught him, taken him out in a procession around the town, after blackening his face. The police had also threatened him.

He had learnt one lesson from this thrashing. He would never appear in a case where the two parties were bitter enemies. He now appeared only in petty cases. Here also, where the government was one party and the accused the other.

In the Bunty murder case, he had not even been asked before being made a witness.

This was a murder case. In this case the accused could also be hanged. Modan did give false evidence, but only involving petty theft or crime. The accused, whether it be liquor, opium or theft, was often released. If they were given punishment, it was only for a year or so. Modan felt that they deserved this much punishment.

Modan still had some land left. He couldn't let the accused be hanged by telling lies as a witness.

Modan had made up his mind, when he had received the summons. He would not give false evidence.

He was only waiting for a deal.

When the proposal had come from Mohanji, he was happy. Modan was an old admirer of Mohanji. Modan earned the most through Mohanji. If Mohanji was fighting this case gratis, then, Modan also would not hesitate. He had assured Mohanji.

Modan had kept his word. He had not let anyone even suspect what was in his mind.

Modan had been administered the oath rather informally.

He now actually began speaking the truth.

He was a Jat by birth. Why would he have a pushcart? He could not read or write. He knows nothing about weights and measures.

He has known Pala and Meeta for a long time. He has also appeared in cases involving them. He had not been selling things at the pushcart on the day Bunty had been kidnapped, and had also not seen Pala and Meeta loitering

around the school. Neither had the police asked him anything, not had he given any statement to them. This statement was false, which the police had invented.

What had come over Modan? This, neither Bhandari nor Bachan Singh could understand.

‘He was a hired witness! Did you not take care of him?’ Aghast, the public prosecutor had asked Bhandari.

Bhandari shook his head and Bachan Singh banged the heel of his palm on his forehead.

‘Then, is he mad that he would bear false evidence and go to hell?’

He was a professional witness. Such a witness is never reliable. He may or may not appear. Bachan Singh knew about Modan, but had not considered the possibility of his going back on his statement. Bhandari was fully aware of the habits of such witnesses. On the other hand, the accused were like Pala who was almost a beggar, and could not even afford to buy a cup of tea for the witness, let alone buy him off. That was the reason why Bachan Singh had taken things so casually.

The consequence of this casual approach was now before him.

The next witness was also from the same group. This was Babu Badmash.

Babu was a dangerous man and his performance as a witness was also dangerous. He did not appear in petty cases, like Modan. He appeared only in cases that were in the sessions judge court.

Bachan Singh had full faith in Babu. He was not the one to be frightened off, and could also not be bought.

It was this quality of his that made the police use him only in important cases. Often he was called in to put life in a case that was almost dead, or in cases where the price of his statement would be assessed in lakhs. His evidence was always about some important point. If the point would go in favour of the accused, he would be released, and if against him, he would be punished.

Unlike Modan, he could neither be tempted, nor influenced by a friend or relative. He would only listen to the thanedar, who had hired him as a witness. The price of going back on his statement was also decided by the same thanedar.

The police inspector got the money. Babu would deny his statement. The accused would be released and the thanedar would not even be suspected. Both of them would earn.

In the Bunty murder case, no one would pay Babu, and Nazar Singh would not even ask him to go back on his statement. Then, why wouldn’t he go ahead with his evidence?

The public prosecutor began his examination by asking him how long had he been plying a rickshaw. Babu lost his temper at the public prosecutor.

‘Why should the owner of four vehicles need to ply a rickshaw?’ Babu retorted.

The earth seemed to shift from under Bachan Singh's feet at this answer from Babu.

What had Nazar done? Had he lost his mind when he was deciding about these witnesses? When he was writing their statements did he not verify their background?

It was not Babu, but his father, who had plied a rickshaw.

It was hard work, and he often took drugs to alleviate his exhaustion and pain. When he had no money to buy drugs, he would go to the police station. His nephew was the munshi at the police station. He would use him as a witness in some case or another, and give him the drugs. Both had benefitted.

Babu took over the responsibility of the family after his father's death, but had never driven a rickshaw, even for a single day. He had taken up the business of standing up as a false witness.

He was young and also adventurous. Whatever work was given to him by a thanedar, he would accept it.

This favourite of the police became rich in no time. One by one, he bought four trucks. Also, a gun. Then he set up his own gang, and took up to extortion, forcible eviction, and occupying vacant lands and houses.

Even the judge was amused at the foolishness of police of putting up a notorious bad character of the area as a rickshaw wallah!

One growl by Babu was enough to alert Bhandari.

'He is also gone!' He sighed. Babu had not taken this stance without motivation. Mohanji had shown him the right path of 'do unto others what they do unto you.'

Rajinder of the krantikari front, had accepted the responsibility of talking to Babu. He still remembered the time when a younger Babu had agreed to appear against Nazim of Saman. When Babu had reached the court for deposing, Nazim had challenged him-

'Babu, just speak the truth, or else, my friends will cut off your tongue in the court itself and throw it on the judge's table.'

A frightened Babu had done as he had been told.

The same Samanwala had been called in to confront Babu, and again, Babu had wet his clothes.

'What has happened to the cunning Babu?' Bhandari was still trying to figure this out, but by that time, Babu had denied his old statement.

Bhandari was now a beaten man. He had fought numerous cases. The situation had never been so bad. Had the police made a case, or had it only gone through the motions? The prosecution was being harassed. The defence was complacent. It should have been the other way.

Bachan Singh was now badly caught. Two witnesses had been examined within half an hour. The others would also do what these two had done. There was still an hour and a half to the rising of the court. As it is, he had promised to finish the cross examination within time. He could not now use the excuse of shortage of time. It was also difficult to arrange for the other witnesses to disappear. They were virtually in police custody.

It also could not be said that they were ill. Their good health had already been personally established by the court.

Bachan Singh failed to think of any way to avoid further examination.

Pala and Meeta were bad characters. No one was willing to stand up for them even in cases of petty theft. How was this murder case against them was being demolished?

Pyare Lal seemed so inefficient. How did he acquire all this acumen? This was the first murder case of Mohanji. He stood tall and strong in victory. They were playing a deep game. It was not their mind at work here. There had to be some other force behind them. Who could that be? There was not a single clue with anyone.

Mohanji had, with great cunning, set a trap for them. It was now extremely difficult to extricate any witness from it.

Half heartedly, he called for the next witness.

Murli, the school peon, was the next witness.

The police version was that it was Murli who had handed over Bunty to Pala and Meeta. They had come to the school at half time. Pala had told Murli that Lalaji was unwell and couldn't come to fetch Bunty. Bunty's uncle is at home, waiting for him to escort him to his maternal grandparents. That was why they had come for Bunty, Murli had brought Bunty from his calls and hand him over to Pala and Meeta.

How should this witness be tackled?

When the members of the legal cell had been debating on this, Pyare Lal had put forward the idea that the witness is of no legal importance. Bunty had not been found for over twenty days after his kidnapping. The police had failed to arrest his killers even after fifteen days of his murder.

Murli was in school all this time. The police had interrogated him even before the arrest of the accused. Had this happened the way the police had described it, why had he not given a statement earlier? This is a story concocted after the event. The court would not accept this story.

But, Gurmit was not willing to take any chance. Though, all police reports and files were with Pyare Lal, but this was a political case. In such cases, even the most trivial evidence can become a factor in the hanging of an accused.

The peon was a follower of Babaji. He had got this job in the school because of Babaji. It was Babaji who had arranged pension for his old mother, and had got his old father admitted to the T.B. hospital. It was bad to stop him for giving a true statement. But, Babaji could stop him from telling lies.

At an appeal from Babaji. Murli was caught in a dilemma. On one hand was the police, the threats of the headmaster and the beating by the Sangh workers, and on the other hand was his own conscience and Babuji's appeal.

After a great deal of thought he had marked a middle path. Murli may give the statement as given to him by the police, but, he would refuse to identify Pala and Meeta.

The peon did exactly this.

‘Identify the men you handed Bunty to?’

Murli was ordered to identify Bunty’s killers in the court. Murli had tried his best, but he could not identify anyone in the court.

The public prosecutor ordered the two accused to stand up in the dock. Then, pointing them out to Murli, he asked – ‘Look. Are they the men?’

Murli stood there, thinking for sometime, then, he shook his head. These were not the men.

He clarified this, at the public prosecution asking him. the police had taken his statement. He had named Pala and Meeta in that statement. But, these names had been given to him by the police.

Answering the defence lawyer’s question, he had made things more clear. He did not know any Pala and Meeta. When the police were writing down his statement, he had been shown two men. He was told that these men were Pala and Meeta. He was asked to look at them carefully. ‘You would have to identify them in the court’, he was told. But these men are not the men who had been identified by the police.

These are not those the who had taken Bunty from the school. These men are different.

What should he do with this witness? The public prosecutor did know what to do with this man. He has supported the police statement, but also the version of the defence. The fact that he has not been able to identify the accused can be overlooked. At least, the fact that two men had taken Bunty away from school had been established. Many more witness were yet to be examined. Some other witness would identify the accused.

Collecting himself, Bachan Singh sent for the next witness. This was the woman Bhago, who was Meeta’s neighbour.

Bhago had to establish that she was Meeta’s neighbour. Meeta lives alone, and so does Bhago. Pala and Meeta were friends, and petty thieves. They had first brought the child to Meeta’s. When the pursuit had become hot, they had moved him to Bhago’s. They had given her a hundred rupees, and had also threatened her. If it becomes known, then, that would be bad for Bhago. Frightened, Bhago had not divulged anything to anyone. She used to buy milk, toffees, biscuits, and bread from Ghaffor Mian’s shop. The night Bunty was murdered, they had taken him away. They had told her that they were taking him back to his parents. It was on the third day that she had come to know that they had killed him. Both were dangerous criminals. They had been to prison several times. Stabbing people was usual for them. As long as they had not been arrested by the police, Bhago had kept all this a secret. After their arrest, she had immediately given her statement to the police. The crowbar that had been recovered from the two accused was hers.

Mohanji had Bhago’s full record. This woman had never stood in the witness dock, but had often stood in the dock of the accused. She had often been charged with vagrancy. Sometimes, the case against her would be dismissed,

but at other times, she would be given bail on good conduct. On this record she was now counted as a '*dus numbari*' – a bad character.

Bhago, after frequent visits to the courts, was now addicted to it. Why should she let drivers or conductors use her body? There were many in the courts who valued her qualities. Less work, and more money.

She first made friends with her advocate and his munshi. The munshi, then, introduced her to the clerks of the court. Gradually, she moved on to policemen. After that, she was never caught, and never charged.

She had been idle since the last two years. She had fallen prey to a dreaded venereal disease. Her lovers had practically vanished. The munshi and clerks now shunned her.

For a starving Bhago even a rupee was like manna from heaven. For this evidence, she had been given three hundred. Two hundred before her appearance, and the rest would be given to her, after her deposition. Hunger had compelled Bhago to agree to give evidence against Meeta.

Meeta – who called her mother. The very same Meeta she called 'son'... who had helped her all the time.

During the recent curfew, Bhago had not eaten anything for two days. Had Meeta not brought food for her, she would have starved to death. But, as the saying is that a female snake can swallow even her own eggs, if she is hungry.

'Would you like to see your son hanged for a few rupees? You are not a good mother!' When Jeevan had reproached her, she had cried piteously.

'You cannot even buy thirty kilos of flour in a hundred!'

Jeevan had given her a sack of wheat and five hundred rupees.

A starving Bhago would have said anything the police had asked her to. A well fed Bhago could not betray her son.

In a packed court she had put her hand on Meeta's head and declared: 'My son can be anything, but he cannot be the killer of a child!'

The defence had not stopped at this. They had presented the copy of the police report which mentioned the house-to-house search in the basti. The police had stated that the police had searched the homes of both, Meeta and Bhago. Both had been present at home. If the houses of these two had been searched, then where had the child been, at that time?

The last witness of the day was Ghaffoor Mian. He was running a provision shop in the Gandhi Basti. The police had claimed that as long as Bunty had been confined at Bhago's, she had bought things for Bunty from his shop. Bunty had been fond of bread, toffees and biscuits. He did not want to eat anything else except these things. Pala, Meeta and Bhago had bought these things from his shop in large quantities.

Ghaffoor Mian was an honest man. He prayed five times a day. When Bhandari read out the statement that he was to give to him, he had refused. He was grateful for whatever Allah gave him. What answer would he offer Allah on the day of judgment?

Bhandari had then given a long lecture on religious duty to lure him. If one has to lie in order to destroy evil, one must do so. He supported his

argument. He had also quoted from the Mahabharat - 'Yudhister had never told a lie all his life. Once a cow had crossed his path with a butcher in pursuit. The butcher asked Dharamraj 'where has the cow disappeared to'. 'He was caught in a dilemma. If he tells the truth the cow would be butchered, and if he lies, he would be committing a sin. Finally, he decided to tell a lie, if that lie saved the life of a cow. All the sacred books do not consider this act of his as a sin, but assert that it was an act done in good faith. Ghaffoor is facing a similar situation.

Naive Ghaffoor was taken in. If Dharamraj Yudhister could tell a lie, why not he?

The samiti had also discovered Ghaffoor's weak spot. If he could tell a lie, in the grip of religious fervour, he could speak the truth after swearing on the holy Quran.

So far all witnesses had sworn in the name of God, verbally. Mumbling something is totally different from actually putting ones hand on a holy book and taking the oath. To bridge this gap, Gurmit had sent for the sacred book in the court. His experience told him that a devout man would not harm even his own enemy after taking swearing with his hand on the holy book. He wanted to take advantage of this weakness of Ghaffoor.

The public prosecutor also understood what Ghaffoor's weakness was. He had not insisted that Ghaffoor take a proper oath.

'Whatever I say would be the truth,' Was all he said, and avoided saying anything more than this.

The defence strongly objected to this half oath.

The sacred book, wrapped in a green piece of cloth, was sent for. When Ghaffoor was asked to speak the truth, after being sworn on the holy Quran, then, not only Ghaffoor, but even Bachan Singh broke out in a sweat.

Ghaffoor could only say that the people of the colony he lived in, did not know how to buy bread or biscuits. During the curfew, all his stocks of flour, potatoes and wood had been exhausted. There were no bread or biscuits, milk or toffees. When he does not keep such expensive items in his shop, there is no question of anyone buying them.

With Ghaffoor Mian's statement, the proceedings of the day drew to a close.

Pyare Lal wanted to hold a press conference.

Babaji and Gurmit were opposed to this. There was nothing to be happy about yet. The real fight was yet to come.

The police were very upset with the proceedings of the day, and they would harass the witnesses, and government would pull up the judge.

They should prepare for the problems that lay ahead.

Seventeen

Leaving the court, Bachan Singh had made a beeline for the deputy's home.

Thinking about the case had made his blood pressure rise. He seemed to have landed himself in big trouble. Bachan Singh had been as careless about the case, as the government had been serious. Now, he was cursing himself and blaming himself for his casual attitude which had landed him in this situation. Had he been more careful, things would not have come to this pass. Whatever had to happen in this case, had happened. Now, it was Bachan Singh's turn to face the music.

He had got a phone call from the district attorney. The copies of the deposition of the witnesses should be sent to Sangrur by the evening. They had to be sent to the director, who would send them on to the home secretary to be presented to the chief minister. How can Bachan Singh send these statements?

How does he get out of this situation? It was to discuss precisely this that he was going to the deputy's.

The deputy was more upset than he was. He had also been asked for the statements of the witnesses. Here the director general of police had demanded them. That also through his special emissary. He was waiting for the copies. But, with what face could the deputy send those statements?

The deputy had received the report of the proceedings. He was upset not only with the public prosecutor, but also with the chief officer. When the public prosecutor had realized that the witnesses were going back on their statements, he should have immediately tried to stall the proceedings anyhow. If he could not ask for a postponement himself, he should have informed the deputy. The deputy would have done something. No harm would come to the public prosecutor. The deputy could be sent to the line any time.

The chief officer had, also cosily sat in this police station, as though he was a big man. The deputy had categorically told him to attend the proceedings personally. But he had not. He must be thinking that as he is the chief why should he go about, in the court with a file tucked under his arm, looking after these worthless witnesses? He had, therefore, sent Nazar Singh to the court. A chief is a chief, and a subordinate is a subordinate. If there is the need for any urgent action, the chief can take quick decisions. The junior officer has to first ask his boss. By the time much water has flowed under the bridge. Had Lal Singh been in the court himself, would the shopkeeper and the peon have dared to go back on their words?

The junior officer was in a worse condition, with the witnesses resiling from their earlier statements. He put half a bottle of liquor inside him, wrote out a leave application for a week, and took the bus to his village. He must have thought that this way he would not have to face the proceedings tomorrow. The deputy rejected the application, and marked, him absent from duty. Let him suffer.

The irate deputy now issued the order that any witness should be soundly beaten, wherever he is captured. This would alert the other witnesses.

The chief officer was himself given this task. He should also report to the deputy every ten minutes.

But, as it is said, a fool is always a fool, whether at home or abroad. Lal Singh kept looking for witnesses but could not locate a single one.

Babu and Modan had disappeared. All the places, their usual haunts, court, the lawyers' cabins, their homes – all, were searched. But no trace of them could be found.

The deputy's anger rose with this failure of the officer. The department is always praising him as a capable officer. But, to the deputy, he appeared to be a total fool. It is not always true that one who can use a stick well, should also be intelligent. Modan and Babu are no babies, that they should be loitering at their normal haunts or linger on in the court. By now they would have flown. They should be traced through informers.

There was a report about Bhago, that she had whisked away by a lawyer on his scooter. Neither the lawyer had been traced so far, nor Bhago. A police party is looking for them.

Ghaffoor had been arrested as soon as he had emerged from the court. The police had pounced on him like eagles. He had been slapped and kicked so severely that he was in a bad shape. Some lawyers had even protested and argued with the police. The workers of the samiti had raised slogans against the police. There was an attempt to rescue Ghaffoor. One reporter had also photographed Ghaffoor. But his camera had been snatched by the police. Ghaffoor had been thrown into the police van with great difficulty by the cops.

The peon had been caught in the bazaar on his way home. The police had no problem in beating him. He was brought into the thana in a procession.

‘What is the order now?’ Lal Singh was asking the deputy.

The deputy was pondering over this when Bachan Singh walked in.

A little later, Lal Singh reported that a large crowd was collecting outside the thana. They wanted to know the reason for arresting Ghaffoor and the peon. Some people were bringing some *durries*. They may stage a *dharna* a sit down strike. The number of protestors was swelling by the minute. They were demanding that the confiscated camera be returned, and they may hold a meeting, or take out a procession.

‘Now, this new trouble had started,’ Bachan Singh was now more upset at the turn of events. If the police misbehaves with the witnesses, the press tomorrow would be full of these news. Bachan Singh would be fully exposed. The need of the hour was to stop all this anyhow.

‘There is no sense in harassing these witnesses. They should be let off after finding out who has persuaded them to retract their statements.’

With this own interests in mind, Bachan Singh gave this advice to deputy.

His advice was, however very good. This was not the time to create more problems for themselves. Discretion lay in their being allowed to go. If they are released under some outside pressure, this would only help boost the samiti's confidence.

'Who is behind their going back on their statements? Find this and let them go.' The deputy ordered.

Lal Singh called again a few moments later. No one had asked Ghaffoor to retract. He had spoken the truth under the fear of the Quran. He was again made to swear on the holy Quran. He had repeated the same in the presence of the Quran.

The peon had taken Baba's name after one slap. Baba had not threatened him. He had only appealed to him to speak the truth. He was greatly obliged to Baba. Out of a sense of shame, he had changed his statement. Whatever evidence he had given in favour of the police was also false. The fact was that he had no inkling of the truth.

The police had achieved its purpose. It was now very clear that the samiti was actively persuading the witnesses to go back on their statements.

The police should have been more concerned about the witnesses who were yet to appear before the court, rather than harass the ones who had already appeared before the court. If they give the statements as they have been instructed, then the judge would get a good enough basis to sentence the accused.

Bhandari had been given the responsibility of looking after the private witnesses, and to explain to them the statements that they were to make. The police had taken the responsibilities of official witnesses.

Bhandari had got a set prepared in his bungalow and was waiting for the witnesses. So far only those witnesses had come, who were either Yuva Sangh members and were determined to give their statements, or whose appearance would make no difference to the case.

The gardener of Ram Bagh, Dhanna the butcher, the guard of the hospital, Radhey Shyam the tea vendor, none of them had come. The strangest thing was that the Sangh workers and Bhandari's munshi, had been to their homes many times. But, none of these was at home.

Bhandari was now beginning to smell a rat. The witnesses had been inveigled away. They must be in the samiti's custody. If nothing is done now, then the same thing would happen tomorrow, which had happened today. The chief officer was being very evasive about it. Only the deputy could solve this problem now.

Bhandari was thinking about meeting the deputy again. And, when his message came, he went running.

'How are the witnesses, Bhandari sahib! Will they behave themselves?' The deputy asked, giving voice to the fear that was haunting him – now.

'What witnesses and what evidence! Not a single important witness has yet come to me. I am tired of waiting for them.'

At Bhandari's answer, both the deputy and Bachan Singh were unnerved.

'What should we do now?'

'Summon the witnesses. Don't depend on junior officers. Round up the witnesses yourself.'

Bhandari's advice was very sound. The police station was immediately called and orders given. All men should be available at the police station, in proper uniform. The deputy would himself come to the police station.

Bhandari was sent off. He would be given trouble again when the witnesses have been rounded up.

The deputy wanted Bachan Singh to accompany him, but he had not eaten anything since the morning. He wanted to go home and fetch his file from his officer, and the deputy should go after the witnesses. They may have to work the whole night.

As soon as the deputy left for the police station, Bachan Singh went home.

That Bachan Singh was hungry and wanted to go home to eat was a pretext. Bachan Singh actually wanted to call the district attorney. He could have called from the deputy's office, but then it would no longer remain a secret. He had come home specially for this.

The district attorney had been waiting for his call.

Bachan Singh vent his spleen on the police. Not a single officer was interested in the case. The witnesses had gone back on their statements, as though it was some trivial case, and not a case of murder. If one were to tell the truth, even they also cannot be blamed. All the witnesses are false. They had been roped in without their consent. The police had not even given them any security. The other party was up to all tricks to win the case. The witnesses were frightened, and had disappeared. Bachan Singh could not be blamed for all this.

Things may be worse tomorrow. The police had not been able to trace a single witness who was scheduled to appear tomorrow. The police has, also, made no effort so far, to persuade and reassure the witnesses. The private advocate had given up. The defence is extremely active. What can Bachan Singh do, all alone?

Listening to Bachan Singh's report, the district attorney was now worried about his own future. The head office had ordered him to fight the case himself. The district attorney had full faith in Bachan Singh's ability. He had felt humiliated at being asked to attend a case in a lower court. On paper, however, the case was being fought by the district attorney.

The district attorney advised Bachan Singh to retrieve the situation whatever way he could. If he cannot control the situation, then he should ask for a later date. Meanwhile, the D.A. would himself talk to higher officials, and explain the whole situation to them.

Bachan Singh should try to get another date. The district attorney would also try to do that. He would meet the additional sessions judge, Satinder

Nath. Some solution would surely emerge. He would call him again after an hour. It is better that they keep each other informed about the situation.

Bachan Singh was relieved after talking to the district attorney.

He returned to the deputy's office, feeling refreshed and relieved.

The deputy, still however, seemed to be upset.

The police had raided the home of each witness under his personal command. But they had no success.

Some one's home was locked. Only the old and small children were at another's. Someone had left a message at home that he is going to attend a wedding, but will be back by the time of the court. Another's family had said – 'He is out. We will send him to the thana as soon as he returns.'

There was now no doubt that the witnesses were with the samiti. They will support the accused. Now, what should be done?

Again, Bhandari was sent for consultation.

'What can I do all by myself? You people kept quiet at first. Now, when the trouble has spread like wildfire, you want to start digging a well! They have three lawyers and hundreds of supporters. Here, you want me to shoulder the entire burden! What can I do?' Bhandari openly showed his annoyance with the police.

'You are right, but we have to anyhow save the situation. I assure you that I will personally attend the proceedings from tomorrow', the deputy tried to calm him.

'You take a new date tomorrow. And, keep a sharp eye on Baba, the lawyers and all the workers of the samiti. Find out who meets whom. We may then get a breakthrough. Else, we are lost!'

After telling the police what should they do, Bhandari left.

How to deal with the samiti would be decided later. The immediate problem is to meet the judge, and get another date.

The deputy phoned the city police station. He wanted them to get a carton of Peter Scott whiskey and a packet of dry fruits.

The problem could not be sorted out unless the judge gives them another date. This the deputy had clearly understood. If they get a new date, the deputy would kidnap each and every witness personally and keep them locked up at the police station for a month. He would not let anyone out till they complete their deposition in the courts, the way they are told to let alone the samiti, even the angels would not get any inkling where the witnesses are confined.

The deputy decided to meet the judge immediately.

He was proud of Nath Sahib. He would not refuse him. They have been together a number of times, at different places.

They had first met at Nabha. The deputy was a deputy inspector at that time, and Nath a magistrate.

When he had become the chief officer, the first case he had to deal with was about the judges.

At that time, the high court was inspecting the various courts in the district. Nabha was to be inspected on next Saturday.

The judges were caught in a trap. All the police officers of the subdivision had boycotted the judges.

The high court inspection was no small affair. Various arrangements had to be made. The courts had to be cleaned and spruced, painted and coloured, the roads swept and cleaned. Water had to be sprinkled all over the town.

The rest house had to be booked. It would involve making arrangements for the whole entourage. Whiskey, meat and fish to be arranged. Gifts for the visiting judges to be bought.

There was the need of thousands of rupees, and hundreds of workers. If the police persisted in its boycott, then the high court would surely give a bad report to the courts.

The judges may be able to make all the arrangements, but who would manage the complaints?

This was a heaven sent opportunity for people who were tired of the excesses of the judicial officers. Now, that the higher authorities were coming to their door, they must voice their problems. Some complaints had been fanned by the lawyers. This was a golden chance for them to pay back the judges in their own coin. The lawyers would embellish the complaints being presented. Even if one complaint against the magistrates is accepted, all these arrangements will fall flat.

If the police security is strict, not a single soul can get access to the inspecting judge.

Mr. Nath had sent messages to all the chief officers, in turn. All of them had been evasive in their responses on some pretext or the other.

When a message had been sent to the deputy, his munshi had put it aside. When he asked the reason, the deputy found out that the judge was considered anti-police. He did not give police remand even for a hard core criminal. He objected to the police noting the time on the F.I.R.. It was never easy to file a F.I.R., even in important cases. All aspects must be considered before the report is filed. Many times, the report is filed later, but the time shown on the report is earlier. He does not even permit an adjustment of an hour or two, but insists that the correct time should be marked on the report. Because of this attitude of his, many murderers have been released. When a challan is presented, he insists that the accused should also be brought along, and all documents should be filed along with the challan. Many police officers are now facing enquiries because of the delay in filing challans. If the magistrate does help the police, then, what can the police do for him? If he is going to insist on a strict procedure being followed then, the police would also stick to rules and regulations. The rules do not anywhere mention that the police should fulfil the various demands of the judges at the time of high court's inspection.

The deputy had not bothered about the boycott. This would have reinforced the judge's hostility towards the police. If the police wants the judges to support them, then all help should be extended to them. He had, therefore, given Mr. Nath all the help.

The brotherhood of police officers was annoyed with him, but the deputy had succeeded in gaining the confidence of the magistrate.

The whole world knows that the government wants Pala and Meeta to hang. This is possible only when judiciary would help the police.

To remind him of earlier services rendered, and to seek full help of the judiciary, the deputy walked into the judge's bungalow with Bachan Singh.

Mr. Nath was willing to give all other help except give another date.

Mr. Nath promised that whatever the witnesses may say, he would not release the accused. When he pronounces the judgement, then neither the deputy nor Bachan Singh would be questioned.

Bachan Singh was not the one to be satisfied with this promise. The manner in which the samiti was handling the case, who knows which judge would be presiding over the court when the time to hand out a judgment comes.

Bachan Singh's superiors wanted to go through each and every word in the file. They would be matched against the evidence given by the witnesses. Who would wait till the time of judgement?

The discussion had been long, and it was almost ten o'clock when Mr. Nath realized that he had forgotten to offer any refreshments to his guests.

Mr. Nath had himself had his dinner, and was not in the habit to drink after dinner. He could not send away the deputy without offering him a drink. He poured out drinks for them; a small one for himself and large ones for his two guests.

When he was slightly tipsy, the deputy began his complaint. He reminded Nath how he had come to his rescue when he was in trouble. Now, it was the deputy who was in trouble, and he stood on the edge, watching him squirm.

Under the influence of liquor, Nath also opened his heart.

He had received a message from the session judge. The chief minister was interested in this case. The high court wanted the case to be wrapped up in a month. What should he do?

'The chief minister is not interested in the judgement, but in the punishment of the accused. We all have a common aim. We all want to please the chief minister. He would be happy only if the accused are hanged. And that can only happen when the police sees to it that the depositions are properly made. The police can deal with the witnesses only when it has enough time to do so. Don't you annoy the chief minister by refusing to postpone the hearing.'

The deputy made the chief minister's message very clear. The deputy was right. If the proceeding are not postponed, the witnesses will go back on their earlier statements. Does he want the case to come to an early end, to create problems for himself?

Things were becoming very clear to the judge.

He was in a dilemma. If he gives a postponement, the high court may be miffed. If he does not, the chief minister would be annoyed. He was well caught between the devil and the deep sea!

Both parties had their own compulsions. They now tried to arrive at a compromise which would help them steer clear of all problems.

A postponement should be given, without harming anyone.

‘I will call the session judge and see what he suggests. I will explain things to him.’ Finally, Nath found a way.

The session judge was more than willing.

The accused must be punished. For this, whatever help the police wants, should be given to the police.

Nath put the phone down, and poured out large drinks for all of them.

Now, he had no problem about helping his friend.

They were happily clinking glasses till midnight.

Eighteen

With a postponement of a month being granted the samiti was facing a load of problems. All the sources which were giving help to the samiti, were being blocked.

On one side, the deputy began his action.

Gurmit had close relations with the munshi of the thana. The file had been with the munshi for a long time. The finger prints, handwriting and models had also been in his custody. The daily register and register #19 are the nerve of the thana. The munshi is called the mother of the thana. If the insiders act as destroyers, then who can save the citadel? Only the munshi knew about the changed statements and entries. The experts, reports and their names addresses and dates only the munshi could have given the defence. Under this suspicion, the munshi was sent to the lines.

Then, came the turn of the naib court.

He had been in the court for a long time now. He had become a part of the court – lawyers, munshis, the accused, the plaintiffs – all. He would ask about the weak points of the cases, and pass on the information to the lawyers. Most of the cases that were lost was because of him. The deputy had received complaints about him, even earlier.. Whenever he was about to transfer him, some one or the other would plead on his behalf. Some time a judge, another time, one of the public prosecutors, or else, the thanedars. They would say he is good at his job. Once he takes up one thing, then others can stop worrying. It was this expertise of the naib court which was now harming the interests of the police.

The deputy got the naib court transferred to his own security troop. Let him stew as a guard at the gate!

On the other hand, the judge was alerted.

Many of the court employees were bent on helping the samiti. Some out of sympathy, others for greed. It was common for court clerks to go to the homes of the lawyers with files. They were willing to give copies of secret documents and statements if they were paid for it. Some clerks with greater

courage, were also willing to make changes in the documents. If the government was the other party, these changes became easier.

This was also an important work. Copy of each and every document had reached the defence, because of the connivance of the court clerks. It could happen again and copies of other documents could also go the same way. This possibility could not be overlooked. The judge may also have to face problems. This case had now reached such a stage, where any officer could get into trouble.

Mr. Nath sent for the file. Got the pages marked. He put his initials on each page. Wherever there was overwriting, or something had been scratched out, he marked it with red ink. He put the file in a thick envelope and sealed it. This envelope was put away in Mr. Nath's cupboard. It would be taken out only on the day of the hearing. If it was needed before that day, then the judge's permission should first be taken.

On the third front, Bachan Singh pulled up Surinder Kumar.

Bachan Singh believed that these copies had been given to the samiti by Surinder Kumar. This was an old habit of his. Earlier also, he had passed on the copies of documents in a case of the vigilance department, to the accused. He had been found out during investigation.

Bachan Singh could not harm him in any way directly. He had hastily gone to Sangrur, and put all the facts before the district attorney. The district attorney took away the additional charge from Surinder Kumar. He would lose about four-five thousand rupees a month!

This way the help being given to the samiti was brought to a stop by punishing all the persons who may have been responsible for it, and blocking the loopholes.

Then, began the harassment of the defence legal team.

When the hearing was postponed for a month, the defence lawyers had a spat with the judge.

The judge had pleaded illness on the day of the hearing. He had sent an order to the reader of the court from home. The case should be scheduled for the eight of the next month.

The next day, Gurmit had objected to this order. He wanted a postponement for a couple of days. When the judge did not pay heed to his objection, then, Gurmit had made a long speech on the duties of the judiciary, and also referred to the conspiracy that had been hatched last night, at his residence.

The judge was irritated at his criticism. He made up his mind to teach a lesson to all the lawyers of the defence team. What harm he could inflict on them himself, he did, he also gave an indication to the lower courts. None of the three should be given any relief. They should be humiliated. Their clients should be made to understand that the judges do not like these lawyers. If the clients get this impression, they would take no time to change their lawyers.

Each one of the accused in the cases these lawyers are handling should be sentenced. Give longer police remands. Don't give bail to them. Don't

worry if you have to be unjust to another, but these lawyers must be taught a lesson.

Pyare Lal was a carefree lawyer. Nothing made much difference to him. He did not have any case, and was not scared of things going wrong.

Gurmit was also new. The few cases he had, were nowhere close to a judgement. Also, his clients did not have the capacity to engage a new lawyer.

Mohan ji was the most affected. He was losing clients. He was upset. A group of lawyers was busy working against him. Each client of his was being approached and explained the problems he may face by having Mohanji as his lawyer. The judge is against Mohanji. The client would surely get punished. Some were scared and quickly took away their cases. Many were preparing to go.

He was asking the samiti to do something. If the samiti did not take any action then he would be unemployed in no time. What use any action taken later, would be?

The workers of the samiti were also demanding the same thing. They were also being harassed.

The old records of the samiti workers had been taken out. The police had prepared a list of such cases, in which they could be arrested.

Rajinder was the one the police was targeting the most. A plan to arrest him in a five year old murder case was being put in place.

In this case, a poultry farm owner had been murdered. Actually this had been the work of the terrorists. But the police had not been able to catch them.

This was the oldest case under investigation at the police station. At every meeting the senior officers were scolding the station officers. If the real killers cannot be arrested, then fit this case on to someone else. The officers had given them a warning at the last meeting. If a challan in this case is not presented this month, then strict action would be taken against them.

This way the police would be able to achieve two main goals. This case was revived. A witness, who was beyond any influence by the samiti, was persuaded to give a statement. This was Meherdin, who had died two months ago.

He was a taxi driver. A day before the murder, Rajinder had gone in his taxi, to the poultry farm. There had been a quarrel between the two over the price of eggs. Rajinder had threatened the owner in Meherdin's presence. After ten days or so, Rajinder had again met Meherdin. Rajinder was dead drunk. He had told Meherdin that he had killed the Lala who had misbehaved with him. The witness had kept quiet for five years because he was afraid of Rajinder. But he did not want any burden on his mind, as he lay dying. Before breathing his last, he had called the police and given his last statement.

This statement was enough to arrest Rajinder.

A theft case was being readied for Shamu.

Valuable equipment had been stolen from the college laboratory, about a year back. A case had been registered with the police.

It was widely known that this report was only a formality. The grant money had been siphoned off by the principal. The equipment had been bought only on paper. This would have covered the fraud, and would also have enabled the college to claim money from the insurance company. The insurance claim would be used to buy new equipment. The equipment would be in the laboratory, and money in the pocket! The police was also a part of this conspiracy. That was the reason why, investigations had been dropped after the filing of the report.

Now, action would also start on this case. The principal was asked to send some equipment worth four-five hundred to the police station, and it was stored there. It would then be shown that this equipment had been recovered from Shamu, and this would solve all the problems!

The first case was sufficient to arrest Baba. Two witnesses were set up. They were thrashed soundly. Then, they were examined by doctors, and their reports were registered. They were witnesses against Baba in the case against him. In the late evening, Baba had come to their homes with a few followers of his. They were threatened. If they bear witness against Baba, they would be eliminated. They feared for their lives.

The bail granted to Baba could be got cancelled on the basis of this report. Any samiti worker could be named and arrested under the guise of 'supporter', and for this the file was left open.

There was a plan to involve Gurmit also in some or the other case of corruption. When he was the public prosecutor, he had taken five thousand from an accused in a case of section 26, to arrange for his release, but Gurmit had resigned before getting his work done. Gurmit was not returning the money to him now. Some action should be taken. The police had taken some such application from some one.

To round up the other supporters, a loose woman was sent for by the police. If it is found necessary, she would be first raped by the police. Then, they would file a report against the samiti workers holding them responsible for the crime. The police will derive a double advantage from this case. They would arrest the accused, and also, take them in a procession, after blackening their faces. They would tell the people of their low actions and spoil their reputation.

All papers were ready with the police. They would launch their operation of arrests as soon as they got the go ahead signal from above.

A scare was being spread even amongst the witnesses and those who were sheltering them. The police informers were trying to sniff them out like dogs. Raids could be carried out any time, any where.

The samiti was greatly concerned about the witnesses, as also the sympathisers.

There was a month to the next hearing. There was also no guarantee that all the witnesses may be able to depose at that time. The manner in which all the government departments were working in coordination, there was a clear indication that further postponements would be given until the police is satisfied that all the witnesses would depose in their favour.

Most of the witnesses were from ordinary families. They were supporting families by working from morn to evening. They could not be expected to leave their homes for months, or be absent from their work. One would lose his job, another's business would fold up, and someone else's crops would rot in the field.

The witnesses also could not be sent home. The moment they reach their homes, the police would snap them up in no time.

There was no way the legal cell could get legal relief for the witnesses. There is no law which provides protection to the witnesses caught in such circumstances.

Jeevan the trader wanted to hide the witnesses in secret places. He was also willing to pay for the expenses for their families.

But, the samiti could not hand over any such witness who had helped the samiti. It was a question of principles, not of the witness being important or unimportant.

What should the strategy be for the future? A secret meeting of the samiti was called to think over this crucial question.

Most of the workers were in favour of an aggressive policy, rather than a defensive one. Hurling a stone when a brick is thrown at you is the best possible defence.

Baba believed that all the three agencies meant for ensuring justice, for the people – police, prosecution and the judiciary, have forgotten their duties. They all have only one purpose in mind, to please the government in power, and to collect as much money as possible.

The samiti must begin an assault on all the three. Only then could they succeed.

The judges and government advocates accept bribes openly. They should be entangled in cases of corruption.

Gurmit took the task of investigating Mr. Nath, on himself. He already had plenty of information about him.

Nath came from Jalandhar. His father was a primary school-teacher. He had not been able to buy a house all his life. He had got his daughters' married, by taking loans.

Nath was good at studies. He had taken on as job as soon as he had completed his tenth class. He would study at night, while on duty. First, he graduated, then he took his degree in law. Finally, he became a judge.

As soon as he had become a judge, the industrialists of Gobindgarh bought him. By giving him five lakhs, a car, and a daughter.

Sunita came from an affluent family and had lived in palatial bungalows. Nath's home was stinking and had no modern conveniences, which made it difficult for her to live there.

Initially, Nath was helped by his in-laws, so that he could maintain a higher style of living. Whenever they came on a visit, they would bring gifts for them, a cooler at one time, the next a carpet.

Gradually, Nath also learnt the art of high living by watching his rich in-laws. He also learnt the art of making money.

Now, he owned large properties. He had a farm, had invested in factories, bought land and had built bungalows. He no longer had to feel embarrassed attending the big fat weddings in his wife's family. He was as wealthy as her relatives.

It was not an easy job to lay hands on Nath. Most of his property was in the names of cats and dogs! Whatever was in his name, that was fully accounted for. Some he had received as gift from his in-laws, at times he had earned some profit from his investments.

The plan was that he should be caught red handed taking a bribe. But this was impossible. He never took money personally. He had special persons to do this work on his behalf. In the town, some seths, the sardars of the villages, or else, rich lawyers like Bhandari. No one knows when they talk about the fee, when do they take the money, and when do they hand over the money to the judge. Whether the same notes are handed over, or are exchanged for others, even this is not known. No one knows whether the money is deposited in the bank, or handed over by hand.

If someone can be caught red-handed, then it is Bachan Singh.

His work is all open. Through the man who runs the canteen, or the naib-court, munshi or a lawyer, whomsoever you want to give, you may. If you can contact him directly, even then he has no objection, he would be happy that way. If you go through a middle man, then, you have to give him a share. He takes less from a party which comes to him directly.

The samiti need not spend a lot of money to catch him. He would surely ask for ten thousand at the first meeting. If the party does not agree, then he scales down his demand, pretty fast. At the end, he may come down to four five hundred also.

What else can he do? He is burdened with a large family. He is the father of six daughters. Two were married, the remaining four are ready, and can be married any day.

Those in the know, are aware of the fact that he is not as big a landowner as he poses to be. He neither has a farm, nor any orchard in the village. There is only eight acres of land between three brothers. Whatever wheat they grow they consume themselves. He has to pay for the family expenses from his salary.

Though, Bachan Singh took money very openly, but it would not be easy even to catch him. The vigilance people need the government advocate all the time. They would not be very eager to raid him!

This was Gurmit's personal experience.

It does not matter. It is not necessary to catch him. The aim of the samiti is to warn the employees. It is good that they should work within their own limits. If they cross their limits, then the samiti would also attack. If Bachan Singh is raided then others would be alerted.' This was Baba's view.

Mohanji would set up a party. Gurmit would take him to the vigilance.

A frontal attack would be made on the police. Each village unit would be alerted, and any hawaldar or constable doing anything illegal, would not be allowed to do so. If some one persists, then he would be exposed, and taken out in a procession through the village.

Only after this would he be reported to the higher authorities.

Scandals about the thanedars and deputies would be splashed in the press. Things would be exaggerated and reported.

An eye would be kept on smugglers. Wherever they are found hobnobbing with the police, they would be assailed.

The main aim was to see that each and every government employee should feel that his job is in danger. They would all be busy watching their own interests. Their morale would break. They would not have the courage to harass others. The police would be so engrossed in sorting out their own problems, that it would have no time to try to ensnare the samiti.

The plan created a new enthusiasm amongst the samiti workers.

Nineteen

The samiti was facing many problems in getting to arrange a raid on Bachan Singh.

It could not find a man who could pose as a complainant against him.

Earlier, Mohanji had taken on this responsibility. But now he was evading this. He felt that like theft, even this action would be discovered. He had no personal enmity with Bachan Singh. Mohanji had already suffered a great loss. He decided that he would plead the Bunty murder case, but would avoid making enemies, in future. He had to deal with officers to protect the interests of his other clients. Once, his reputation is dented, no officer would trust him. Trying to protect the interests of others, he should not harm his own interests.

Mohanji had withdrawn, but Pyare Lal was making all efforts. Many were willing to raid a patwari, a compounder or any other clerk, but no one was willing to assault this mountain.

After many days, Pyare Lal thought of his class fellow, Bhinder.

He was selling vegetables these days. Earlier, he was selling milk.

Once, early morning, he had been stopped by the food inspector. The amount he was asked to pay to get the case against him dismissed, he could not give.

He could not even approach any judge.

Leaving things to fate, he waited for the decision of the court.

He was given two years imprisonment, and asked to pay a fine of three thousand rupees.

He collected that money by selling his wife's jewellery, and filed an appeal. Here, he had to deal with Bachan Singh.

Having been running from pillar to post, Bhinder was now a wiser man. He knew he had to give a bribe, however difficult it may be.

A bargain was struck with Bachan Singh. He would take three thousand, and see to it that Bhinder is released.

Bhinder was not freed, and Bachan Singh did not return the money.

After he came out of prison, he had thought of Bachan Singh. He had met Bachan Singh, wanting to get his money back. Bachan Singh refused point blank. What is once given, does not come back, was the answer he gave.

Bachan Singh had done his duty. The judge has reduced both- the term of imprisonment, and also the amount of the fine. All this had been because of Bachan Singh. What else did Bhinder want?

He could not do anything except rue the earlier deal.

Now, was the opportunity. If Bhinder wants he could quench the fire of revenge that still burnt in his heart.

Bhinder agreed with alacrity. Before taking Bhinder to the vigilance men, he met Gurmit. Gurmit explained to him in detail the various tricks the vigilance may play, and how should he counteract them.

He would need to use these tricks at every step.

‘Say, whose roots have you come to dig?’ A giant like man with curling moustache, welcomed them.

Had Gurmit not warned them, Bhinder would have been shaken to his core.

‘You must be wanting the officer to do something illegal. Now that he refuses to do that, you want to see him behind bars!’ The inspector began even before Bhinder could say anything.

When Pyare Lal introduced himself as a lawyer, the inspector’s mein changed somewhat.

‘Tell me, who is the officer, and how much money does he want?’ The inspector’s next question was the one that Gurmit had said they would ask.

This question was not to be answered in a direct manner. If they take Bachan Singh’s name, then the inspector would have jumped from his chair. And would have also flung choicest abuses in Pyare Lal’s direction. He would have sung paens in Bachan Singh’s praise. But, even then, if they would keep sitting, then, he would have promised action, and sent them off.

The inspector would not want to spoil his own reputation by arresting a government lawyer.

The police and prosecution are as inseparable as nails and flesh. If the police is the arms and power of the prosecution lawyer, the lawyer is the mind of the police. If one is harmed, the other would suffer as a matter of course.

‘You come with us. You will know everything yourself.’

‘How can I come with you like this? I am a responsible officer. I must have an inkling about the one I may have to arrest.’ The irritated inspector was now disregarding Pyare Lal’s legal credentials.

Now, when a lawyer had come with the complainant, and was also trying to be clever, it had become necessary that the officer should learn the name of the victim they are targeting. He either had to be a police man, or some one close and important to the vigilance department. This much the inspector had understood.

He was recalling the faces of his officer friends in his mind.

Is he the naib-tehsildar? It was only yesterday that he had obliged the inspector, by getting him the possession of a *nazool* piece of land.

Or could it be the industry inspector? Some days back he had got a quota of steel approved for his boss's son!

The food inspector had seen to it that there was a full range of sweets was available at the wedding of the hawaldar's sister!

The inspector had made up his mind not to leave his chair without learning the name of the officer concerned.

'If you do not to give me his name, at least give me an application. We should have something in our hand, before laying a hand on a respectable person.' The inspector was using all tricks up his sleeve to find out the name of the officer.

Pyare Lal stretched out his hand with an envelope.

'There is an affidavit in this envelope. It has also been certified by a magistrate. If the complaint is false, you are free to take any action against us.'

They had come prepared with the answer to this question.

The inspector was furious. The lawyer is too clever!

'If you do not trust me, then you can't get me to do your work!'

The inspector reiterated his determination not to do what they wanted.

'We have a request, open this envelope at the spot.'

With this request from Pyare Lal, the inspector's anger increased, but he did not express his anger.

'All right, but I have a problem. I don't have a vehicle at this time, and also no men. You arrange for a vehicle, I and will arrange for the staff.'

Putting the envelope in his pocket the inspector got up. He went about arranging for men.

Bhinder went to get a vehicle. Pyare Lal kept an eye on the inspector.

The vehicle came within ten minutes. Gone for two minutes, the inspector did not come back for three hours. Pyare Lal had a premonition of trouble. The situation had gone out of their hands.

The inspector came after five. He appeared to be calm.

He was apologetic about the delay. The boss had called him for an important meeting, and he was delayed because of that.

They should come in the morning. Exactly at ten. The official vehicle would also be ready, and the victim would be in their clutches.

They returned with long faces.

They had checkmated police and the police had defeated them.

After Pyare Lal's failure, Gurmit was given this task.

So that they may not have to face defeat a second time, the entire situation was again reviewed.

Who are the various officers in the vigilance department? What sort of relationship do they have with Bachan Singh? Who was the deputy? What attitude would he take? Would anyone be willing to lay hands on Bachan Singh or no?

The man incharge of this area was Komal Singh, inspector.

Komal Singh and Bachan Singh are two sides of the same coin.

Only a few days back, Bachan Singh had given a big bribe to Komal Singh in the enquiry against the overseer, Niranjana Singh.

The deputy was a greater scoundrel than the inspector.

Gurmit would have to meet the police captain.

The sarpanch of Beehla had an old score to settle with Bachan Singh. His wife's brother had been arrested with five kilos of opium. Bachan Singh had not allowed him to get a bail for a full month. The sarpanch had implored him, had even begged him in the name of the young children of his brother-in-law. They were motherless children, and of tender age. Without their father, they did not sleep at night because they were frightened. His brother-in-law was poor. He was unable to pay the fee Bachan Singh was asking for. But, Bachan Singh had only one answer – no.

If Bachan Singh goes behind bars even for an hour, the sarpanch would be happy. He would then realize what it is to be embroiled in a false case.

Taking the sarpanch, Gurmit now himself entered the fray.

He did not talk to anyone except the police captain.

They had come to seek the arrest of a corrupt officer. The captain was against corruption. He must help them.

The captain readily agreed. The complainant would get all the help.

The one to be arrested was a gazetted officer. Therefore, the deputy should be made the leader of the party. An executive magistrate should be sent for with the permission of the deputy commissioner. The police party should be given strict instructions. Till they catch the accused, his name should not be asked.

The captain agreed to all these conditions.

The complainants were made to sit in the captain's office. Their identity was kept a secret till the police party was assembled.

The deputy was not the one to be easily fooled. He would find out who was the one to be raided, before beginning of the raid.

The sarpanch was from Beehla. Therefore, the accused should be an officer. A magistrate has been taken along, this meant that a gazetted officer who to be attacked.

A lawyer was with the party. It could also be some legal officer.

Assessing all this, the deputy sat in the jeep.

He made a sign to the reader. He is going out on a raid. It is for the reader to keep an eye on the situation in his absence.

During the ride, the deputy tried his best to extract the name of the officer. The sarpanch was an experienced man. Had he opened his mouth, even then he would not have revealed anything.

When the complainants got the jeep to stop before the courts, the deputy was alerted. It seemed that the tehsildar would be in trouble. Though the reader would have phoned everyone by this time. Even then, he tried to think about ways and means of saving his friend.

The deputy's patience was, by now, running out. He was finding it difficult to control himself any longer. He was, also, scared. He may not have to catch his own man!

It was essential for the police to complete the paper work before a raid. But that was only possible if one knew the name of the accused.

When the deputy stuck to his stand, Gurmit had to bow to his demand. Till now, they had kept the police at bay. Now, it may be their turn to get entangled!

It was not proper to do the paper work standing on the edge of the road. They stopped near a dhaba. The sarpanch, Gurmit, the deputy and the magistrate got busy in the paper work. The constables scattered, on the pretext of drinking tea.

The news of the jeep parked near a dhaba, and loitering constables of the vigilance department, spread like a wild fire in the courts.

The officers had already been alerted. The staff was already on its guard.

The tehsildar was out on a tour. The naib tehsildar was on leave for a week since yesterday.

After completing the formalities, the police party stationed itself before Bachan Singh's office.

The sarpanch was sent ahead. He should hand over the powdered notes to the government advocate. When he takes the notes in his hands, he should signal to the police party. The police would take care of the rest.

The sarpanch went into the office. He was told that the lawyer had gone to the court.

The sarpanch went to the court. He was informed that he had gone home as he had some guests.

With the victim gone, a disheartened deputy went into the office of the government advocate and sat down.

'What should we do now?' The deputy asked the sarpanch after waiting for some time.

'Whatever you say', The sarpanch was near tears. He left everything to the deputy.

'Fate has saved him today. We shall try some time other time.' The deputy smiled at the foolishness of the complainant, and took his leave.

The samiti may not have been successful, but the situation was not all that bad.

Because of Gurmit's insistence, on the basis of the papers the deputy had filed, a case against Bachan Singh was registered. There was no basis of filing an F.I.R., because Bachan Singh had avoided the meeting. But, it was enough to defame Bachan Singh.

Next day, the papers were splashed with the news.

Ashamed, Bachan Singh went on a month's leave.

'There is no sense in staying on in this town.' He was camping in Chandigarh trying for a transfer, and asking his friends to help him to arrange this.

The removal of the first obstruction, made the task of the samiti a little more easy.

Twenty

The samiti scored its victory over the prosecution easily, but found the task of breaking the citadel of the judiciary extremely difficult.

Earlier, wherever two lawyers got together, there was only one thing they talked about. If, at one time, Gupta would be saying – 'Nath has taken fifty thousand in the Mahants' case'. Another time, Sharma would say – 'Nath took twenty thousand from the seths in the case of selling oil in the black.'

Surindar Mohan would say – 'In the Sahna land case, I got sixty thousand for the judge,' and Harbans Singh would announce another time – 'My party gave forty thousand to get the decision in its favour.'

Before beginning its war against the judge, the legal cell decided to make a list of all such cases in which the judge had taken money. They believed that the task should be completed within a few days.

But, even after many weeks of efforts, the result was negative.

Whomsoever they may talk to, he would just clam up.

There was greater apprehension amongst the lawyers, than the clients. The clients would at least utter hunh... haanh.. The lawyers, however, were not even willing to utter a word without deep thought.

Most lawyers were not happy about the raid carried out against Bachan Singh. The presence of a lawyer in the raiding party was considered, against the entire legal fraternity by most of the members of the bar as a black mark. They were now unable to show their faces to the officers, and the secretarial staff.

The legal cell was responsible for this blackmark against the bar. Why should everyone be made to share their black deed? Why should they speak against the judge before the members of the legal cell?

But, Gurmit was not the one to give up.

He revived his contacts with his lawyer friends.

The lawyer, Gupta, still reiterated his earlier statement. The Mahants had given fifty thousand to Nath. He wanted to help the cell, but could not. The Mahants had no complaint against the judge. They had paid the money, and got what they had wanted. Second, the appeal was still pending in the higher

court. If they were to give an affidavit, or any such statement, or even an application, it may go against them in the higher court. They were not willing to create any trouble for themselves.

Sharma had the same sort of compulsions. The seths were also scared. They had got rid of the case after petitions and prayers. What would happen if the judge is irritated? He may tell the government advocate to file an appeal against the judgement. Selling things in black was their business. He may coax a thanedar to conduct a raid again. They were also afraid of the indignity and humiliation involved in this. Anyone can say the judge did not send for you, you went to him. No one else would be willing to help them. No, sir, no the seths do not know the word 'complaint'.

A solid complaint against the judge could be made only when a party would openly come forward and admit that ;– 'I have given money to the judge.' They were unable to find such a party. Then some such party, which should say that the opposing party in my case had given money to the judge. A party which has lost a case, is not given much weight. But, it may be the basis of carrying on the discussion about the judge.

Gurmit now went to Jhanji to find out about such a party.

Jhanji treated Gurmit as his brother. He had scolded his party, but it was all a lie. Why would the opposite party give money to the judge? The real story was that his client's case was very weak. Jhanji knew from the first day that he could not win the case, but it was a rich party, willing to spend hundred in place of ten. Jhanji did not want to give up the case. He kept assuring his client that he would win the case. And, also kept preparing him for the worst, in psychological manner. The judge is dishonest. No one can tell whichever way he may turn. If the litigant, hoping to win the case for years, had to face a defeat, would he have not broken Jhanji's head? This was a trick of Jhanji's to keep the client's illusions.

The same sort of pretext had also been proffered by Mehnga Singh.

Gurmit could not understand this. Had these lawyers tricked their clients, or were they now tricking him?

Pyalre Lal and Mohanji also faced the same situation. None of Mohanji's clients would accept having given money to the judge.

Tired, the legal cell now abandoned the search. People who have given money are not going to tell their secrets to any one, specially never to lawyers.

If they are going to cry over split milk, they would do so only in the presence of those who were sympathetic to them.

All the units of the samiti were now alerted. They should go out and mix with people. Try to learn about their troubles. Only then can they hope for success.

Rajinder, of the Krantikari Front, heard about Ram Singh of Harike. He had lost a lot of money in the courts. Rajinder had been trying to gain his confidence since last many days.

When Ram Singh's father had died, he had forty acres of land in his name. He had a whole market area of forty shops in the heart of Patiala. He also had a large bank balance.

But, Bhag Singh had set a cat among pigeons through his will. The greed for a bigger portion led to a Mahabharat amongst the heirs. Many greedy foxy hangers-on had also gathered around them. They watched the fun from the sidelines, and also fleeced the cats fighting amongst themselves.

Bhag Singh had married twice. Ram Singh was the son of his first wife. The second wife had a daughter, Jaswinder Kaur.

Ram Singh did not get along with his father. He had mostly lived with his maternal grandparents and had grown up and studied there, and had even bought lands there.

The father had brought up the daughter, giving her the best education. She was married to a professor. He gave her a bungalow. Also, a car. Had willed the market in Patiala to her. She was getting a hefty rent. If there was no other income, even then, she and her husband would have been very well off.

The father may have thrown the son out of his home, but had not thrown him out of his heart. Plenty had been given to the daughter. Only the son had claim over the land. It was this claim that he had upheld in his will. So, that Bhag Singh's ego may not be hurt, he had kept Ram Singh out. The land had been willed to Bhag Singh's grandsons, that is, Ram Singh's sons.

He left five acres in the name of his second wife. She could live on the income, and after her death, that land would also go to his grandsons.

The sardarni was not as sad at the passing away of her husband, as she was at the contents of the will. Instead of eliminating Ram Singh totally from her life, the sardar had made her old age unhappy.

The old woman collected her brothers and nephews. Consulted lawyers.

According to the law Bhag Singh had three heirs, wife, daughter and son. If the will could be scrapped, then the mother and daughter could get two shares.

Earlier, the son-in-law had been happy with the bungalow, cash, and the rental income from shops. When he learnt that after her mother's death, his wife could inherit that income also, then, he took long leave from his job, and came over to live with his in-laws.

The son-in-law, on the advice of lawyers, prepared a false will. That it should not seem one sided, it retained the clause of the five acres going to the grandsons. In the remaining property, the mother and daughter were made equal heirs.

Litigation began. On one side were the mother-in-law, the son-in-law and their relations. On the other side, Ram Singh, his mother's brothers and their kin.

Both sides felt that the land would come to them gratis. Whatever they can snatch, is theirs.

The scramble for property began from both sides. On one side, the bad characters began fleecing them, the lawyers on the other.

Sometimes, one side would get the land ploughed with the help of some bad characters. At another time, the other side would destroy the standing crops with the help of a big group of badmashes. At times, one party would challenge the other, and another time, the other would have to fire at the first.

Both houses now saw a round of feasting, wining and boisterousness at its worst.

The lawyers now started building one case on another. Now under S.751, then, another under correction of the revenue survey. Still another under transfer of property, and then under S.145.

The son-in-law was educated. He got most of the work done through his friends and acquaintances.

The entire group, on the other hand, was uneducated. The lawyers made them spend fifty instead of five. Spend on the witness here, pay the expert there, payment must be made for the appointment of the commission, the patwari has to be called, the court fee has to be deposited, and, yet again, an appeal has to be filed.

The son-in-law's party had possession of the land since the beginning. The income of the land was going into their pocket. They were not bothered about the cost of litigation. They would benefit, even if the litigation went on, and if it came to a head, even then, they stood to gain.

Ram Singh was losing money. He could only get some income from the land, once the case was decided.

Impatient to get some result, Ram Singh kept doling out money to court readers and clerks. When it came to the crunch, it was the son-in-law's side which won the case.

The son-in-law had bought the judge with three lakhs. Getting thirty two acres in return was not a bad bargain.

The judge was not put to any great trouble. He declared the old will invalid, and found the new will valid. Ram Singh lost his own share also.

He had suffered a defeat in the lower court. But learnt a lesson for the future.

He began his efforts to buy the judge of the higher court from day one.

He sought advice from the people who knew the ropes, and followed their advise. The deal fell through at five acres. Ram Singh had to sell off whatever he owned to give Nath what he wanted. Even then, the son-in-law did not let go. He filed an appeal in the high court.

Things was really strange there. The lawyers and munshis wore coats that had enormous pockets. The lawyer charged five thousand for each appearance, whether there was an actual hearing or no, he was not concerned about that. There would be a junior with him; he would also get his share! The munshi's fee there was higher than a lawyer's in a lower court. Expenses also were very

heavy. A file had to be translated into English, and one has to shell out a thousand. Another file has to be photocopied, and that means give another eight hundred.

He did not have the nerve to approach the high court judge. The ten-twenty acres involved in the case were of no great significance.

Ram Singh's situation now was like that of a gambler. Let Bapu's land be damned. He had to recover what he had spent. He was now fighting the case only with this hope in his heart. His own land was mortgaged. Now, his uncles' lands were also being mortgaged.

The son-in-law trounced him again. Ram Singh was crushed.

Ram Singh was angry not only at the go-betweens, but also with Nath sahib. When he took the money Nath had reiterated, again and again, the he would give such a judgement, that it would not be overturned, even if the other party goes to the Supreme Court. The judgement had been overturned in the first challenge itself.

If the samiti could help him get some money back from Nath, then he may also hope to stay alive.

Rajinder consoled him. He should have courage. Nath will return the money, and also give more to get rid of him.

Rajinder got his statement on oath, got it verified and put it in his pocket.

It was not a bad beginning. It also seemed to be auspicious.

One evening, Chowdhary knocked at Baba's door.

A few years ago, the Chowdharys had decided to sell their cotton mill, because of financial and personal constraints. When they talked to an agent to get a buyer, he came out with a new scheme.

The mill was in the heart of the town. If it is divided into plots and sold, then they would earn a far bigger amount.

It was not a bad plan, but the Chowdharys were after all Chowdharys. They could not frequent the courts and tehsildar's office. Agreements would have to be filed, agreement money given, and sales registered. They made an outright deal with Budh Ram. He should pay them a fixed amount. He was free to sell the land and make whatever money he could.

Budh Ram had earned lakhs out of his profession. He would make a down payment and get an agreement signed. The sale would be registered after six months. And he divided the land into plots and sold them. He got his money back, and also save some land.

Budh Ram had given one lakh as at the time of agreement. The price of the land had been assessed at eighteen lakhs. To avoid tax problems, the price in the documents was shown at five lakhs.

Once, Budh Ram got the power to sell, the whole situation changed.

The town at that time, was also suffering from the effects of the terrorist wave in Punjab. There were many incidents in quick succession. A bank was looted, a scooter snatched. Many rich men were kidnapped, and lakhs taken in ransom. Some rich men left the town. Some were preparing to leave.

The next month the situation was worse. Some children exercising in a park in the town were fired upon. Twenty homes were bereaved. Eight children were taken off the bus and shot. A murder or two became a common affair.

When the property you already have is endangered, how can you think of a new one? Budh Ram went from pillar to post, but he could not sell a single plot.

He did not have the capacity to pay eighteen lakhs. It was better to call the deal off, rather get the sale registered.

The Chowdherys' showed their large heartedness. Their business had folded up due to 'bad deeds of past births' as they put it. They felt it would be morally wrong for them keep the amount of the advance they had taken from Budh Ram. They sent for Budh Ram, and returned the money to him.

When things improved somewhat, then people also felt relieved. Those who had left the town, came back. It was better to die with a bullet in your chest at home, rather than starve elsewhere.

The prices and rents of houses and shops again began rising. The Chowdharys now were earning much more.

Going through his old papers Budh Ram came across the agreement he had signed with the Chowdharys. He ran to Bhandari with the agreement.

Though the limit of the agreement had passed, but, after some changes in the document, one could test one's luck.

The test was undergone. This time, Bhandari played the tout.

Nath was blinded by the lure of money. He could not see the changes made in the agreement. Not one, but many alterations had been made in the agreement. To make the claim valid, the date of agreement had been changed. The actual agreement was witnessed by two witnesses. This also was the legal requirement. The agreement which was presented in the court, had signatures of four witnesses on it. The two extra witnesses had signed later. It was on the basis of their signatures that Budh Ram was claiming the ownership of the mill.

The Chowdharys called in the famous handwriting expert, Diwan Puri, to support their version. Puri had given his opinion in very clear words. The ink used by the later witnesses was different, from the ink used in the rest of the document. There was a difference of about four five years between the writing of the two. Both parts had been written by different persons. And, it could be clearly seen that changes have been made in the dates.

The Chowdharys also produced their account books in the court, wherein the advance amount which had been returned had been entered. Also, the cheque through which the money had been given.

Mr. Nath found all their arguments illogical.

The Chowdharys' were asked to comply with the agreement. The mill which was worth thirty lakhs, had to be given away in five lakhs.

It was not in their nature to complain about any officer, but, this injustice the Chowdharys could not countenance. Earlier, they had accepted it as

fate. Now, with the effort being made by the samiti, they also gave their certified affidavit.

This complaint was not enough to nail Nath, but it would also not go waste.

If the files were to be made to speak, then Gurmit could also make one such file speak.

This file was of an executive engineer of the Public Welfare Department, (Bridges and Roads).

The executive engineer, just a month before his retirement was due, recollected that he had a *janampatri* - horoscope.

His claim was that his horoscope in his official records, was not the real horoscope. A few months ago, while performing a religious duty, his mother had recollected that he was, in fact, four years' younger than his official records showed. Those days, children of very tender age were not admitted to schools. His father had, therefore, submitted his elder brother's horoscope in the school, at that time. To establish the truth of his claim, he had also got a birth certificate from Multan.

His date of retirement should be postponed by four more years.

Gurmit was the government lawyer in this case. He had demolished the engineer's claim to be younger, on various counts.

The first proof against him was that if it is accepted that he is four years younger, then he would have been twelve when he passed his tenth class. This was impossible. Had this happened, he would have become a world celebrity on the basis of his intelligence. His name would have figured in the Guinness Book of World Records.

The second factor was the minimum age for recruitment to government service is eighteen. He had joined government service at eighteen. He had by now served for forty years. No government employee can work for more than forty years. If he gets four years more, then his total service would be forty four years. Then, his name would surely be in the Guinness Book!

The government had also established that he was not born in Multan, but had been born at Phillaur.

Mr. Nath had not liked the government's arguments. The government was concerned only with work. If it would not be one engineer, then, it would be another. Then, why is the government annoyed with a man of experience? And, on the basis of his experience, the executive engineer had got a renewed license for fleecing the government and the public.

What greed had motivated the judge to give the decision he had given, would be revealed by the file itself.

Some material had been collected. Finding some opportune moments, Gurmit broached the matter with the president of the bar.

Satinader Nath was openly fleecing the people. Lawyers were silent though they knew everything. They should be playing a significant role in ensuring that people get justice. If they turn a blind eye to all this, then what would happen to the common people? Lawyers should do something.

The president agreed with Gurmit, but was helpless. What could he do by himself? The other lawyers were all silent. They had all learned a lesson from what had happened to Mohanji. Whosoever said anything against the judge, would be harassed.

If eight ten senior lawyers agree, then, a meeting could be called. Whatever would be decided by the majority, the president would accept.

To create a consensus, Gurmit first talked to Chahal.

He turned on him like a ferocious vixen.

‘If young men don’t throw mud at the judge, what else can they do? I do not at all agree with these blackmailing tactics of yours. You people can’t win a case on its merits, then you want to win through accusations. Well done, young man!’

Bhandari’s answer was very similar to his.

‘You do whatever you want. Neither do I agree to this, nor do I disagree. I would neither oppose you, nor give you any help’.

Bhandari’s displeasure also had the same roots as Chahal’s. He wanted to avoid infamy as far as possible. If once the avalanche begins, then Bhandari would be the first one to be swept away in the fast moving current. The reputation that Bhandari had earned of putting life in dead cases, had been built on this. He would pay handsome bribes to judges in such cases. The money was of the petitioners, but Bhandari would get the fame. Once investigations begin, the first one to get caught would be Bhandari.

None of the seniors gave their consent.

On the contrary, the problem became more complex.

A competition began between the seniors to be the first one to carry tales to the judge. To win his favour they added more tales to make them spicy! Some of them even invented their own stories. And, to gain the favour of the judge assured him of their full support.

‘I’ll see who speaks against me.’ I am not like Bachan Singh to run away from the battlefield. If I do not compel the lawyers opposing me to become cart vendors, my name is not Nath.’ An emboldened judge had boasted even in the court many times.

The samiti was willing to become vendors.

If the bar does not help the samiti, so be it. The samiti would fight its battle on its own steam.

The legal cell was ordered – it should prepare the complaint against Nath. The samiti will take care of the rest.

Twenty One

Those units of the samiti which were working against the police were not facing much trouble. One by one the victims were all falling into their nets.

The first one to fall in their trap was Chimana hawaladar.

Chimana's son was getting married. Some liquor is served at every wedding. This was Chimana's only son wedding. He wanted liquor to flow. That was his way to impress his relations about the status he enjoyed.

Though, he had tasted liquor from many villages, but he had liked Lalli's liquor the best.

Lalli's liquor was famous far and wide. Distilling liquor was his passion. He was a well-to-do landlord. He drank daily, but of his own make. He would use cardomoms, cloves, cashew, and coconut and many other things into the brew. That was what gave his liquor the taste that lingered with you. The best of whiskey could not match its taste.

Whenever he brewed liquor, he would always send one bottle to each one of the officers. Officers who had been transferred from the town to distant areas, did not forget the taste of that brew. He would often receive requests for liquor from far and near.

Chimana wanted to serve such incomparable drinks to his guests.

At first, Lalli had not agreed. He had given up distilling liquor.

The price of almonds and pistachios was also very high. And, no other party was willing to share the cost.

Lalli's family also did not want him to run the still, as most of their earnings were lost. They are doing well at trade. They do not need to please the officers. He should stop trying to please them.

Tired of this nagging and doing favours, Lalli had taken an oath at Beas. Let alone drinking any liquor he would not even touch any liquor.

Intelligent officers understood and they stopped pestering Lalli.

Chimana could not believe it. No one can change so drastically. Lalli was only pretending.

Whatever it was, it was Lalli's friend's son who was getting married. He would have to distill liquor. He has given up drinking, so be it. Let him also not break his oath of not touching liquor. He should only sit and get the liquor drawn under his own supervision.

Lalli got five drums made. The furnace burnt for full three days.

The aroma of the liquor had intoxicated the village for many days. The desire to drink freshly made liquor had drawn many to Lalli's fields. The police post was close by. People were surprised. Liquor was being distilled and the police was also there. There was something very strange.

People could not understand this puzzle. But, the Naujawan Sabha of the village at once grasped the meaning.

When the tempo, laden with liquor, turned towards Chimana's village, it was surrounded.

Chimana, who was riding in the tempo, called out a threat. He was on government duty, in full uniform. He could arrest all of them on the charge of obstructing the police in carrying out its duty.

As the number of persons surrounding him increased, his harshness slackened.

‘The police had raided a still, distilling liquor illegally. These are the captured goods.’ When he saw the village sarpanch and the panchas amongst the crowd, he offered this explanation.

When the sarpanch of Wagidikia presented Lalli to all, then, Chimana touched his feet. Asked for forgiveness.

It was not the samiti’s policy to forgive its enemies. It was this very hawaldar, who had beaten Ghaffoor Mian in the court. Who had thrown off his turban, and pulled his beard. Innocent Ghaffoor had pleaded with him. When Chimana had not bothered then, why should the samiti bother about him?

The deputy was asked to come to the spot. Chimana was arrested, only then the samiti let the tempo and Chimana go.

When the talk about Chimana died down, gossip about Pakhar began.

It was in his range that two cowherds while grazing buffaloes, had been crushed by a bus.

The bus belonged to Avatar transport company. When the accident took place it was being driven by the son of the owner of the company. He was a novice and also drunk.

When they saw that the bus was rocking, the passengers protested. Either the driver should be changed, or they should be put down.

The conductor had also pleaded. The bus stop is about four miles ahead. He also can drive a little. He would slowly steer the bus to the stop.

A worthless servant calling his employer a drunk! Asking him to hand over the bus to him! The boy was angered at this rudeness of the conductor. Abusing the conductor, he increased the speed of the bus.

The passengers now started praying. Who knows who may die?

The moment they reached Kainchayan, the accident occurred. The poor cowherds were killed.

The conductor fled, but drunken Mohinder Singh was overpowered by the passengers. They first beat him themselves, then, handed him over to the police. The day was drawing to a close. Investigations were going on. The relatives of the dead were arriving. Who knows when the police formalities would come to an end? The passengers were being delayed. In some time, they all scattered.

Thinking it to be a good time, the owners of the company now tried to influence Pakhar. He should mediate an agreement between the owners and the relatives of the dead. If an agreement does not come about, then, he should not put Mahinder’s name as the one who was driving, but put the driver’s name. They themselves persuaded the driver to this. They would not let the driver come to any harm. Right now the relatives are angry, when their anger subsides, they would be given some money and asked to deny their statements.

It was not a bad idea. It was an opportunity for the thanedar to earn some good money. Such agreements are common in such cases. Neither the driver is an enemy of the dead, nor are the relatives opponents of the driver. The driver helps the relatives to get the highest insurance reimbursement, and the relatives help the driver to get released. If this has to happen later on, then why shouldn't the thanedar arrange it right now?

Putting aside the paper work, Pakhar started advising the relatives.

'If you all want, then I will register a case, but you'd get nothing by going to the courts. You will get tired doling fee for the lawyers and the munshis. The dead will not come back. Take money and feed your children. I'll beat them soundly and see that you get good money.'

On one side lay the corpses of the dead. On the other the crying children. Then, the advice of the police. The poor relatives could think of nothing else except accepting the money.

They were immediately given ten thousand. They would get another ten thousand after the case had been dismissed.

The company got its way without spending much money. According to the new laws, the relatives of the each dead, were to get fifteen thousand rupees. The power of attorney of getting the claim from the insurance company was given to an employee of the company. The remaining amount was handed to Pakhar.

A report was concocted by intermixing truth and falsehood. The bus was shown to be driven by a driver instead of Mahender Singh. The cowherds were shown to be at fault. They had come on to the road suddenly. As the boys died because of their own carelessness, the relatives have no ground for complaint.

After pleasing all the parties, the thanedar went off to sleep peacefully. But they samiti was wide awake.

The next day, the samiti sat on a 'dharna' outside the police station.

Pakhar has sold the shroud of the cowherds. He has snatched the bread out of the mouth of young innocent infants. Had a proper case been filed, the relatives would have got lakhs in compensation.

The samiti presented all the passengers who had been in the bus, and who had witnessed the incident. Also, the driver who had been named in the report. The relatives also wept loudly. Pakhar had misled them.

The D.I.G. conducted an enquiry. The thanedar was found to be guilty. And a new report was filed.

The samiti felt relieved at Pakhar's being sent to the lines. It was he who had harassed the families of the witnesses who were supporting the samiti. Some of the witnesses were being hidden by the samiti. Pakhar had kidnapped the others.

Irritated and upset, Pakhar let off all the witnesses of Bunty murder case.

Filing of reports against other policemen began now, as also Pakhar. Sometimes, it was the vigilance department that came for investigation, and another time it was the C.I.D., and yet again, the flying squad.

At times they investigated how the deputy was conniving with the smugglers, and the share he got from them, and, another time the 'monthly' that the chief officer was getting from the speculators.

Had the complaints been ordinary, the police may have tried to wangle some sort of arrangement, either by using their authority or through a middle man. But, they were now scared to even contact the complainants. Whosoever tried, he got into greater trouble. Someone's pleadings were taped, and a new complaint was filed against another. The complainant was being threatened and asked to go back on his first statement.

Even the captain was treading very carefully. If he was careless in any way, they could entangle him also.

The police personnel was running scared. More than the samiti, they were furious with their own officers. Who is harassing them and why? This fact was known to all. Then, why were the officers not doing anything about it? Why are only the lower ranks being found guilty?

The lower ranks were highly incensed at this indifference of the officers. They all decided that when the officers do not protect them, then, why should they take any risks? In future, let alone doing some thing which is illegal, they would not do any thing at all. They would only do their routine duty and go home. If a murder is being committed before their eyes, then let it be. If a truck of opium is being unloaded in their presence, so be it. The officers should worry or the guilty. If they do not work, then they will not do anything wrong. If they do no wrong, then the officers would ben no position to trouble them.

But, the samiti's purpose was not being achieved by this decision taken by the employees. The samiti had tried sending a couple of witnesses home. Had the samiti not been alert, the witnesses would have been in the hands of the police.

The problem could not be solved by cutting off a couple of heads of the ten headed *Ravana*. The arrow had to be shot in his stomach.

If the chief executive officer had to be outwitted and brought under its control, then, the samiti had to set up a cordon around Kartaro's penthouse.

It was the chief officer's habit to visit her daily, when the evening sky turned pink. Kartaro gave him money as also young beauties. He was fond of both.

It was not an easy job to reach Kartaro's. Her penthouse was not open to one and all. She had special things and special customers. Adolescent boys and alluring girls. Neither the girls were hesitant, nor the boys worried about anything. Kartaro would collect the money, the customer had the pleasure. To climb up to her pent- house one needed a pocket full of money.

Her house was in a narrow lane, which was closed at one end. There were not many houses around. Whatever houses existed, they were not lived in. They were mostly being used as godowns. The samiti could not get any help from the neighbourhood, if it needed some help.

Kartaro also did not encourage anyone easily. Before he would be allowed to go up, a customer had to wait for many days in the lower reception room. During conversation, Kartaro gauged the customer's liking, and also the thickness of his wallet.

The samiti's workers had to return emptyhanded, for many days. The one sitting in the reception room downstairs, could not know what was happening in the penthouse. Are there two rooms upstairs, or four. Does the customer has to leave at

night, or can he sleep upstairs? How do the girls enter, and how do they leave? When are the customers served liquor? How does he entertain himself and how does he sleep?

After loitering at Kartaro's, they succeeded in finding out that there were two rooms at the top. For ordinary customer, room number one was used. The second room was used for special guests. The chief officer used the second room. If the samiti wanted to catch him naked, then the samiti had to control the first room the whole night.

This was the way it was done. First, Kartaro was dazzled with money. The first room was booked for the whole night.

Lal Singh was already drunk when he arrived. As soon as he came, he began quenching his thirst in more ways than one. When he lost his senses, then, the workers in the pent house whistled.

As soon as she heard the whistle, the workers sitting in the room downstairs, and the ones who were hiding in the vicinity, all rushed upstairs. Kartaro could not understand who was raiding her house. Whomsoever she tried to stop, would push her aside and rush up.

Kartaro understood the whole situation, when four men brought a naked Lal Singh down the stairs. The journalists standing outside furiously began clicking the scene.

Lal Singh was first sent to the lines, and then, suspended.

As soon as *Ravana* fell, Lanka went into deep mourning.

Employees spent their days in fright. Everyone was now scared about his own job.

No one was now bothered about the police captain. The witnesses were now freely going about the lanes and the bazaars. In the way a pigeon closes his eyes when he spies a cat, the same way they would also look the other way they saw a police man.

For some time the captain had been silent. The samiti realized the meaning of this silence. It was an indication of a great storm which lay ahead.

Twenty Two

One of the important rules of the legal system is that there should be pleasant relations between the bar and the bench.

Earlier, the rule was being fully observed here. But, ever since Gurmit has joined the bar, these relations are deteriorating. The samiti politics had also come into the bar, with Gurmit.

The senior lawyers now decided that they could no longer remain silent. They should oppose this mischievous element.

After this decision, the senior lawyers began supporting the judiciary, and opposing the cell.

Whenever the cell started something against Nath, the senior lawyers would start cawing like crows.

The cell was upset at this fratricide. They must have made some mistake somewhere.

The issue was discussed at a meeting by the samiti.

After churning the whole problem thoroughly, they finally succeeded in pinpointing one important truth.

The interests of the judiciary and the senior lawyers are common. It was natural for one to support the other.

The cell now paid more attention to the junior lawyers. The condition of the litigants running from pillar to post in search of justice, and the junior lawyers, trying to get a foothold in their profession, was more or less similar. They were harassed by the judges, and also by the senior lawyers. The cell had touched upon a raw nerve.

The results came fast. Why against only the judges? A protest should also be made against the senior lawyers who support the judges. The judges fleece the clients. These crocodiles swallow their own professional brothers.

The junior lawyers were more angry than the cell members. They began talking about the hypocrisy of the judges and the senior lawyers, and their secret relations.

Avtar Singh was the most angry. He wanted to reveal the secrets of the most senior lawyer of the bar, Hari Prakash.

He had been Hari Prakash's junior for three years.

In these three years, Hari Prakash had exploited and humiliated him enough. He had not given him any money and also not let him acquire any knowledge of legal procedures.

A few years ago, the junior lawyers had a confrontation with their seniors. After a long conflict, the High Court had to lay down a rule. Whenever the senior argues a case, he must have a junior with him. This would benefit the junior in many ways. He would learn the procedures, and he would also earn some money.

Hari Prakash would take the junior's fee from the party but never passed it on to Avtar. If asked, he handed out the routine answer'.

'One has to sacrifice a great deal to acquire skills. One has to renounce greed. If you want to acquire these skills, then keep away from all desires and avarice.'

Avtar had to renounce all desires and greed, and also, could not acquire any skills.

Had Hari Prakash been poor, Avtar would not have minded his money being stolen in this way. But, he was a millionaire. You could point at any bank complex, shops, plots, cold centre or market in the town, it would be his.

He had not inherited all this property. How did he make it? This was what Avtar was talking about.

The old bus stand had now come right into the centre of the town. Every day there would be some accident or the other. There were frequent traffic jams, and buses would have to wait interminably to reach their destination.

The town people now demanded the relocation of the bus stand outside the town.

The government had not paid heed to this demand for years. When the people came out to protest, the government yielded. Where should the new bus stand be located? The people were told to give their views.

Different groups came forward with different proposals.

Every party wanted the bus stand closer to its area.

The majority was in favour of the site suggested by the towns people.

Most of the industries were in that area. The new courts were also close to that area, as also the colleges. There was no railway level crossing in between. And, the advantage was that there were roads going in all directions.

The panchayats of the surrounding areas also supported this site.

Hari Prakash began opposing this location.

He himself suggested a new site.

The panchayat in Sandhupatti had a large pond. The pond should be filled and a bus stop built on that location. Hari Prakash owned the adjacent land. If more land was required, he was there to help meet the demand.

When Hari Prakash felt that the site suggested by the town people would be approved, he went to Chandigarh. The chief minister at one time, was his junior. If he would not help him now, when would he do it?

The government was given the plan. Hari Prakash would pay for the filling up of the pond. He would also give his land free.

The file was now again sent back to the department with Hari Prakash's proposal.

When the file reached the table it was intended for after doing the round of the different departments, Hari Prakash had already worked out his future plans.

The ruling party was given two bighas of land for the party office. The truck union was also given another bigha. The task of filling the pond was given to the union. The president of the union was given a plot for a bungalow.

The S.D.M., tehsildar and various other officials were offered allurements. They were given plots befitting their status and rank.

Now, the entire administrative system became interested in the new site.

Within days, the new scheme was approved.

People were not even aware of what was happening. They learnt of this only when the buses were parked around the pond.

The townspeople as also the villagers in the adjoining areas objected. This site was not at all suitable. There was neither any road here, nor any school or college. The long route buses would not come here, but go by the bypass.

This busstand was near residential areas. It would have to be moved again, after some years.

Under Hari Prakash and his party's pressure, chief minister kept stalling the delegations of people for quite some time.

The official machinery now started the task of construction on a war footing.

Hari Prakash, also on the other hand, started plotting his land adjacent to this site.

When the people's movement gathered momentum, then Hari Prakash filed his case.

This was the lawyer's personal case. The judge immediately gave a stay. The bus stand should not be shifted from here till further orders.

Now, Hari Prakash, again, divided his remaining land. This time, the plots were given to the officers who had not got any earlier and also the members of the judiciary.

Judge Nath kept the appeal that had been filed against his stay order, pending for six months. Sometimes, the lawyer would not be present, and, another time the judge. At times, the file could not be found, or the court officials would go missing.

During this period of six months, the government spent money like water. Buildings went up, and roads were laid.

People also began constructing. Shops were built, and also houses.

'If now the bus stand has to be shifted from here, then, the government would suffer a loss of crores.' This reason was now found good enough to make the stay permanent.

The disappointed people gave up the struggle.

Avtar had got all this information about the deals being made with the officers, as those days Hari Prakash was using Avtar's car.

Avtar knew the name of the man in whose name the plots given to Nath, had been registered. He was Nath's brother's brother-in-law. He was a poor man, and a clerk in a factory at Ludhiana. He did not have the capacity to buy such expensive plots. Avtar could also give an account of plots that had not yet been sold. Once, an investigation began, he would come out with the truth.

The cell would benefit from the opening of this case in another way. The bus action committee would again be revived. With the revival of the committee, the cell's hands would be strengthened.

Shinderpal also had some spicy information.

His senior, did allow his junior to take his fee, but did not share with him whatever he earned by his deals through the officers.

Shinderpal's father was one of the prominent retailers of the town. He controlled the retail trade of eighteen villages. Shinderpal was getting the legal work of these villages. Most of the time he did the work himself. But, he was scared of handling complex cases. If a lawyer gets a bad name right in the beginning, then it is difficult for him to establish himself. Such cases he referred to

his senior, Surjit Rai. If he referred a case to some other lawyer, the lawyer would happily give half the share of the fee he received. Surjit Rai would try to keep the cases thus referred under the *Guru-Shisya* tradition. If Shinderpal did ask for money, then, he would not give more than four-five hundred.

Shinderpal had not bothered about trivial amounts. But, when he had bungled lakhs of rupees, then Shinderpal was compelled to revolt.

Last year, the central government had acquired all the land of village Rodo for the construction of a cantonment. The villagers were to receive crores in lieu of the land acquired. The whole village had jointly engaged one lawyer. His fee, of five hundred per case had also been fixed. Surjit Rai had earned one and a half lakh through Shinderpal. Shinderpal had insisted on taking half of the fee thus earned.

Pocketing seventy five thousand, Shinderpal went off to the mountains.

The government had assessed the land at fifty thousand per acre. The market rate was not more than seventy thousand. Nath was to hike this price to a lakh per acre. The extra money thus raised was to be divided. The cases would be wound up in a month. Surjit Rai was given the responsibility of collecting the fee from the clients. Rest would be taken care of by Nath.

The case would be filed in the first month. Next week, the official side would appear in the court. The third week the case would be decided, and in the fourth week, the cheque for the settlement of the claim would be handed over.

By the time Shinderpal came back from his trip to the mountains, Surjit Rai had pocketed lakhs of rupees. When he got the whiff of this fraud, he asked for his share. Surjit Rai refused.

Shinderpal wanted his revenge. If not many, he could turn some villagers against Nath.

Some other juniors had grouses against the judges. The judges were partial in their behavior. They do not protect the rights of the juniors, and what is rightfully their due. They were always favouring the seniors.

Mangat Rai had the complaint that Mr. Nath had, so far not appointed him the local commission even once. Many of his colleagues had collected big amount in fee many times. Whenever he had expressed his feelings to the judge, he had got only one answer. His name had been inadvertently deleted from this list. The name has now again been added to the list. His chance would come next time. His name was never included in the list, and his turn never came.

He also had the grouse that most of the commissions were given to the juniors of either Chahal or Bhandari. Everyone knew the reason for that.

Bhandari had a bungalow at Solan. He spent the month of June in Solan. There, his guests were offered both – women and wine.

Every year, one judge or the other would be Bhandari's guest. Bhandari himself is now old. One of his juniors is always in attendance, looking after the guests.

Chahal had two cars. If a judge needed a car he was always happy to oblige. The car would be driven by one of his juniors. Chahal also sends the car with a full tank.

Mangat Rai does not even have the money to buy petrol for his scooter. How would he send a car to Nath?

The humiliation and injustice being heaped on the juniors must be stopped.

Neither the advise of the seniors, nor the threats of the judges, could check the agitation of the young men.

A signature campaign to convene a meeting of the bar was begun. On the first day itself, sixty eight signatures out of hundred and seventy, were secured.

Next day a resolution against Nath was passed.

The campaign for a confrontation with the judge was now begun on a war footing.

Twenty Three

Nath was not worried about the resolution passed against him. This was an impulsive action of some agitated and immature lawyers, and it would die down in some time.

The secretary of the bar had called on him late in the evening. He had brought a copy of the resolution that had been passed. He had apologised, for all that had occurred. It was a sudden storm, but there was nothing to worry about. The senior lawyers were with Nath. Who is bothered about these good for nothings?

The secretary revealed a secret. The house had recommended that the resolution should be sent to many places. He had secreted some copies. The rest should be taken charge of by Nath.

The registered letters are dispatched through the small post office. It would be very easy for Nath to get those letters to disappear.

The press had also been asked to flash the news. The reporters of the English newspapers were intelligent. They do not report news which smack of blackmail. The reporters of the Hindi press are known to the secretary. The secretary had given them a hint. The judge is a useful man, and the news should not be sent. Only the reporters of the Punjabi press had to be managed now. Even a hawaldar was enough so 'woo' them.

Many other lawyers had phoned him. Each one of them expressed his loyalty to Nath. They also assured him that let these boys shout as much as they want, they will not let any client of theirs speak against the judge.

The S.D.M. and the deputy had also called on him. He should tell them if they could do anything for him. They also help the lawyers in their legal and illegal work. If the lawyers will not help the officers now, when will they?

Even some politically important persons had phoned him. If there is any need for some political pressure, then, he should let them know.

Nath was emboldened by this support he had received from all sides.

Resolutions and enquiries were, even otherwise, nothing new for Nath. One or other enquiry was always going on against him. He had learnt a lesson from this long history of enquiries. When you have money, no one can harm you. This was the first lesson. As the list of enquiries grew long, so did his itch for making money.

The second lesson was that one must have good relations with ones bosses. The registrar had full faith in him. The High Court bench was divided into two. The more important faction was always friendly to him. He spent with a free hand on these things.

The increasing number of incoming calls became a cause of worry for Nath. So many calls implied that the news has spread throughout the area. The rumour mongering had begun. Each person who had passed on the information, would have made it more spicy. And such people would also reveal many such secrets, of which neither the samiti nor the legal cell knew anything. This was a dangerous development.

Some lawyers had also called. It was also clear that those who had not called had some complaint against Nath. Nath now himself began contacting these lawyers.

He sent for all the three magistrates to his help. He wanted to know which magistrate was friendly with which lawyer. If each one of them was able to control a few, the problem could be sorted out.

‘The young men forced others to sign, sir, you must believe us, we are with you.’ This attitude of the lawyers was encouraging.

A few had also complained. A few others also offered some advice.

‘Don’t weigh every thing with money. Give justice also a chance sometimes.’

Nath accepted all this. Promised various things to overcome a bad phase.

There would no cause of complaint in future. What problems are there, could be sorted out by mutual discussion. At present, Nath should be helped in getting this resolution revoked. The seniors agreed, but it was difficult to persuade the juniors. Only few juniors were willing to help Nath. Most kept aloof.

‘When the seniors are with me, why should I worry about these asses?’ And with this, Nath thanked the magistrates, gave the drinks, and then, went off to sleep.

In the morning, when he glanced at the paper, he saw his name in the headlines.

What has happened now? He was agitated. He had contacted each and every reporter. He had told them not to report this incident. He had got them to return the copies of the resolution they had received, and kept them himself. Then, who has sent these reports?

It was now clear that even the registered letters that had been dispatched could not be stopped enroute. They would also reach their destinations.

Nath was not afraid of getting a bad name. These reports would not in any way harm him.

The coldness of the High Court was killing. The Court takes serious note of such news. It also starts an inquiry on the basis of such news.

Nath wanted immediately to go to the High Court to repair the damage.

But, to take leave on the first day itself and run was also like running away from battle. This would encourage his opponents.

He should leave for Chandigarh after a couple of days.

But, delay can also be damaging. One cannot recall time that has passed.

Those friendly to him would say why did you not tell us earlier. Evil must be destroyed at once.

If nothing else, it should be brought to the notice of the registrar at least.

The registrar was one of his friends.

A call was made to the registrar. Things would be sorted out by the evening. But, then, if the need arises, he should stall the matter for a couple of days. Later, Nath would himself take care of things.

The registrar reassured Nath. There was no need for him to worry as long as his elder brother is there. If the situation improves then fine, else, he should call him.

The registrar would take care of everything.

With this encouragement given by the registrar, Nath's agitation bated. Encouraged, he now started making some political moves.

As soon as he came to the court he sent for the president and secretary of the bar. He expressed his annoyance to them. Nath has never harmed them. He had decided most of their cases in their favour. Their practice had grown enormously because the favour that Nath had shown them. This motion against Nath should not have been passed when they were the president and secretary of the bar.

Mr. Nath is right, but they were helpless. The truth was there was nothing in their hands. The anger of the lawyers had exploded. Even those lawyers who earlier could not utter even a word, were roaring like lions yesterday.

'Let what has happened be. But no such thing should happen in the future. Suppress the resolution. Another meeting on this matter should not take place. No list should be given to the cell members. You help me, I'll manage the rest.'

Nath was giving orders as though they were not office bearers of a professional organization, but his subordinates.

The president and secretary were on their guard. The storm yesterday has uprooted them. Now, it are the youngsters who are dictating terms. They have been reduced to mere rubber stamps. They can make no promise on their own.

The office bearers were shaky. Though they were listening to what was being said, inside, but their minds were outside. They were afraid lest some juniors might be standing outside, and listening to all this that the judge was telling them.

They were apologetic about what had happened yesterday.

They had been scolded by the junior lawyers in the morning itself. They had come to know about president and secretary's visit to the judge, and the president's phone calls.

If they make any such move again, some such resolution may also be passed against them. Why should they invite the wrath of their juniors on themselves?

They also did not have the same respect for Nath that they had earlier. The stories that they have been hearing in the last few days, if they are true, then, Nath must be punished.

The president and secretary were impatient to leave.

Nath did not get any concrete promise from them. In the changing scenario he tried to modify his lordly tones.

'If you have some other compulsions, then, send for a couple of other senior lawyers. We can discuss and sort out our differences. If it is my fault, I will apologize... but don't bow to these monkeys...'

'This time it are these monkeys who hold the reins... even then, we will try.'

With this they got up.

'When will you tell me?' Nath also got up. By the evening'.

'No, meet me at lunch. Handle it tactfully.' Nath's plea followed the office bearers to the door.

They were not going to make any effort, and they did not. Neither did they meet him at lunch, nor in the evening.

When he saw no solution to the problem, Nath left for Chandigarh.

When he came back from Chandigarh, Nath had again turned from a jackal to a lion.

Those judges of High Court who were in his favour had patted his back. The Chief Justice also belongs to their group as does the vigilance judge. Numerous such news are published. Hundreds such resolutions are passed. If the High Court were to pay attention to all such trivial matters, then what decisions would it take? A judge's job is of a strange nature. One party would always be annoyed with the decision. The angry party would also throw mud at the

judge. If the high court were to scrutinise the work of the judge so minutely, then how would he be able to function impartially and fearlessly?

The registrar gave him some good news. He had secreted the first resolution. He had neither shown the published news, nor the resolution to the chief justice. There is no cause for him to worry.

He also gave Nath a warning. The root of this problem was Bunty murder case. He should stop taking any personal interest in the case. He should give a distant date on some pretext or the other. Tempers would gradually abate.

For a whole week, neither the bar took any action, nor the cell.

They were all hoping that some action would be taken. A judge would be asked to investigate. He would ask for proofs to substantiate the allegations. They went on putting the evidence together.

Another week passed. But still there was no action taken.

Now, whispering started amongst the bar members. There was something suspicious.

Nath was now in the habit of fleecing people. He would always take money, whenever he got the opportunity.

The simmering discontent burst out into a flame, when Mohanji went to the high court on some legal work, and discovered that there was no activity of any sort there, on this score. From the clerk to the registrar, no one had any information of either the news or the resolution.

Another meeting was called at the insistence of the juniors.

This time, it was decided that a delegation should meet the chief justice. It would present a full account of evidence against Nath to the chief justice himself.

The revived bus stand committee also decided to make their complaints public.

When all others are going then why should the sangharsh samiti lag behind? It would also send a delegation. with full determination the registrar tried to avoid the meeting. He tried bluffing every step of the way.

First, he said the high court had not received any resolution.

The representatives showed him the certificate of posting and also a receipt of its delivery to a clerk in the office of the high court.

After this, he changed his tactics.

'Right, right, that resolution... that has been filed long back...'

When the bar asked the reason for its filing, they were told that a delegation of lawyers had come to Chandigarh. Some of them had complained that they had been forced to sign the resolution. Some had submitted in writing that their signatures on the resolution were forged. They have no complaint against Nath.

This was a blatant lie. The cell and the junior lawyers had kept a strict vigil on all comings and goings. Neither had any lawyer come to Chandigarh, nor had anyone given anything in writing. This was a false story which had been floated to save Nath, and to create friction among the lawyers.

The registrar felt the earth shift from under his feet, when he saw such a large delegation.

The delegation demanded that it should be shown the submission.

It was a secret, and the registrar could not show it.

The delegation now understood what the whole thing was about. The registrar was another face of Nath.

If he doesn't want to show the submission, then they demand to meet the chief justice.

Again, the registrar tried to prevent that. There is a procedure to meet chief justice. That must be followed.

The delegation had lost its faith in the registrar. The first complaint he had destroyed. Why wouldn't he do the same with the second? According to the procedure, they were not willing to hand over their second complaint to him.

The delegation would hand their complaint to the chief justice himself. If the registrar would not let the delegation meet the chief justice in his chamber, then they would meet him at his residence. If he refuses to meet then at his bungalow, then, they would go on a hunger strike and resort to a sit down strike outside his residence. They would also organize a press conference.

When things seemed to be going out of his hands, the registrar was now willing to compromise.

He gradually worked on the delegation and tried to appease them.

He took the memorandum. Read the memorandum and scanned the cases attached to it. He also read the affidavits. Then, he prepared a file and sent it the chief justice.

The chief justice listened to the delegation calmly.

The vigilance judge was sent for immediately. All the papers were handed over to him. He should set up an enquiry, and present a report within the week.

All proceedings in the Bunty murder case were stopped for a month.

The happy delegation now waited for the report of the vigilance judge.

The samiti, its legal cell, and the junior lawyers, were all in touch with the aggrieved parties. They should give their statements without any fear.

'An enquiry will be conducted by the judge' Hearing this many more parties were also emboldened. They also got their affidavits notarised.

The cell was very enthusiastic. Once the vigilance judge arrives, Nath would be fully exposed.

But, there was no news of the arrival of the vigilance judge.

Tired of waiting, people were gradually losing hope. Disappointed, they turned to other work.

Nath took advantage of this delay. He had received the list of the cases in which he had been accused of taking money.

He had been given a free hand to contact the aggrieved parties. He was taking full advantage of this.

A relative of a complainant was called in one case. Later the relative, advised the party. 'Why are you making a fool of yourself? The enquiry is being held by the high court. If you say that the decision had been in your favour after you had given money, won't the decision be rescinded? You are spoiling your own case.'

Some understood.

Those who did not understand, they were called to the police station. They were threatened in a veiled manner, under the pretext of some other case.

Some were frightened.

Those who were not frightened, some money was returned to them, and they were persuaded to withdraw.

Even the lawyers were contacted, and some were persuaded to break away from the group. If one's wife's brother was brought in, another's sister was asked to wean him. One was ordered to shut up by a political party, another by some organization he was a member of. Some were implored to withdraw. Some others were offered enticements.

When everything had been settled, then the vigilance judge was invited.

The sudden arrival of the judge caused a flurry in the bar. They had only eighteen hours to collect the supplicants.

Sunday had been fixed for the enquiry. Most of the lawyers had left for their villages before getting the information about the enquiry.

All the applicants could not be contacted. Those who could be contacted were helpless. One had to go to the village, another for some condolence meeting.

Some parties had now resiled from their applications. Some had been wheedled away. Some were in police custody. A few were in the custody of some officer at his residence.

The bar could not produce even one complainant before the judge for his enquiry.

On investigation, it was found that all this had been a well planned conspiracy. Nath had received the schedule of the tour many days back. The bar had deliberately been kept in the dark.

The vigilance judge had advised Nath that he should somehow send him back without any applicant meeting him. He would never set foot in the town after that for any enquiry, even though the whole town may stand up against Nath.

And this was what was really happening. The judge sat in the rest house for full four hours. Not a single petitioner appeared before him.

Before leaving, the vigilance judge called some of the leading lawyers. Advised them to cooperate with each other. The bar and the bench are two wheels of the same carriage. As long as they do not work together, the carriage of justice would not run effectively.

The cell could not be misled by this hypocritical advice. They had been deliberately denied the opportunity to present the proofs before the judge. The enquiry was not impartial. They should be given another chance.

The judge did not have free time. The high court had given him a very short time. He could not come again. If they want to produce some evidence, they should do it right now. Or, else he would take it that they have nothing to say.

The vigilance judge got an agreement prepared and typed. Lawyers who were satisfied with the investigation, they should sign the agreement. The others can do what they wish.

The angry juniors tore up the document. The judge had come to investigate, not for forging an agreement. He is going beyond his area of power.

The judge realized that things were not going the way he had wanted, and therefore, he softened his stand.

He gave them an extension of two days. If they have any witness, they can bring them to Chandigarh for deposition.

The cell made many trips to Chandigarh. But to no avail. When the witnesses came to Chandigarh, the judge was unavailable. When the judge was there, the witnesses could not be present.

After a great deal of effort, only a few witnesses could be presented before the judge.

When no action was taken even after a month had passed since the presentation of his report by the vigilance judge, then the bar again took a delegation of Chandigarh.

This time, even the chief justice was not willing to listen to them. The members of the cell had a personal axe to grind. They are deliberately defaming the judge. The reports of the session judge and the vigilance judge had already been received. Some senior lawyers had spoken in favour of Nath. Many parties had given their written statements. The chief had personally heard the evidence of some witnesses. All the allegations against the judge had been proved to be false. The complaint had been dismissed.

How had all this happened and when? No information was given to the delegation about this.

When the watchman joins the thieves, then who can you depend on for protection?

To teach Nath a lesson, a new method was devised.

When a case of pro cell lawyers was fixed for hearing before Nath, an appeal would be immediately filed. The party has no trust in the judge, and the case should be transferred to some other court. Some evidence would be attached with the application to substantiate the charges. The affidavit would sometimes be filed by the client, and, sometimes by the lawyer.

A ridiculous situation would arise when appeal would be filed by both the parties for the transfer of the case.

The high court would be forced to transfer some case or the other to another court almost every day.

The court was gradually becoming redundant.

When the date for Bunty murder case drew near, then an appeal was filed in that case also. The certified affidavits of two lawyers were attached with the application.

The first charge against the judge was that he was conniving with the government. The witness had denied their statements on the first day itself. There was a possibility that the witnesses on the second day would also resile from their statements. The judge, the public prosecutor and the police D.S.P. had held a meeting to somehow postpone the depositions scheduled for the next day. Call details were presented in support of this allegation. The first call was between Bachan Singh and the D.A., the second between the D.A. and the session judge, and the third between the session judge and Nath.

These certified statements became a problem for the high court.

Under the cover of these affidavits, the press was now busy uncovering many other unknown cases. Stories of Nath's misdeeds were being splashed in the newspapers every day.

When the people had lost faith in the judge, then why is he not being transferred? When allegations of corruption are being made against the judge, then why is no investigation being made against him? This time, the high court became the target of the criticism of the press.

The high court had its own limitations. When the reputation of the high court was at stake, then it lost all its sympathy for Nath.

The application by the cell was rejected.

Instead of transferring the case, it was the judge who was transferred.

'A fresh investigation into the charges against the judge would be made. That also in an open court.'

The order was passed.

Twenty Four

With the transfer of Nath, and the initiation of a new enquiry, the samiti was now in the ascendancy.

Pala and Meeta would now be released. This was the public gossip in the town.

But, this sort of gossip was dangerous for the Yuva Sangh.

The existence of Sangh was already in danger. After Bunty's murder, the organisational structure of the sangh had suffered a divide, and, with the passage of time, this breach had widened.

'The Sangh has drifted from its original purpose. Instead of social service, it is, now only concerned about the proceedings of the Bunty murder case, and to serve the interests of the officers.' This was the opinion of some workers.

This opinion was held by that group which believed in studying any problem from all aspects before dealing with it.

This group had, after investigation realized that Pala and Meeta were innocent. The evidence that the samiti was putting forth as proof of their innocence were correct. These workers were asking their leaders why was the samiti waging this 'jehad' if there was no purpose? Neither the samiti had any enemies, nor were Pala and Meeta very close to the samiti. The samiti's purpose was not only to see that these two are released, but also to help catch the real murderers. If the sangh keeps going by what the police wants it is to do, then, the actual killers will go scot free.

This group was also critical of the sangh's decision, on the basis of which they had taken out a procession against Baba. By now, it was clear that the procession had been organized by the police for attaining of its own specific goals. Setting things on fire and beating and hitting people had not been a part of the agenda of the sangh. Then, how did all this take place and at whose command?

This group was against helping the police without any reason.

When the police was setting up its chain of false witnesses to make a success of its claims in the Bunty murder case, then, the sangh had also been asked to come forward. This group had, even at that time, opposed setting up of false witnesses.

The president of the Sangh had called those workers who had refused to give false evidence as traitors.

The president was of the view that this is a critical phase for the Sangh. The grandson of its patron had been killed. The guilty must be punished. If the police wanted witnesses then how was the police at fault? Our legal system functions this way. It seeks proof at every step. What is accepted, that proof is a success. Which fail to gain acceptance, is a dud.

In support of this view, Ram Sarup relates what had actually happened to him, personally.

Once, he had caught a pickpocket red handed trying to pick his pocket, at the bus stand. When he had appeared in the court to give his evidence, he stuck to the truth. Instead of what the police had written, he had truthfully repeated what had really taken place. It was true that he did not know how much money he had in his pocket, when the incident had taken place. He also did not know how many fifties he had, and also how many tens and fives in his pocket. He agreed that one note of fifty was similar to any other note of fifty. He also had no proof to prove that the currency note that the pick-pocket had in his hand, when he was caught, was his and not of the pickpocket's. Ram Sarup stuck to the truth like Dharmputra, and the pickpocket was released and took Ram Sarup's money also.

Had he listened to the police, and given the statement that the police had written, the result would have been the opposite. According to the report of the police, he had to say that when the incident had occurred, he had five hundred rupees in his pocket. Four notes of hundred each, and two of fifty. He had got those notes from the retailer's. He had given the retailer a new bundle of notes. The remaining notes are with the retailer. And, these were the numbers of Ram Sarup's notes.

Since that day, Ram Sarup was convinced that whatever lies have to be told to make a case judicially effective, must be told, and there is nothing wrong in that.

The police had already established that Pala and Meeta are the ones who have killed Bunt. If the police has to cook up some evidence to get them committed, then, undoubtedly, it must do so. The aim of the Sangh was to get the murderers caught and punished. It is not concerned with the method the police adopts to catch the murderers. Ram Sarup was also concerned about that. He was the first one to offer himself as a witness.

Opposed to this, Narata Ram was strongly against appearing as a witness.

'I hate such courts, which seek to confuse the people and incite them to cook up false evidence.'

With this, Narata Ram would also narrate something that had happened before his eyes.

The pradhan of Raisar had been murdered in a crowded court. Hundreds of people had seen a thin man shoot the pradhan. He had been captured on the spot.

The courts were sticking to the axiom that a man does not lie on death bed.

Here he was telling lies, as he lay dying, and preparing a noose for his enemies.

With a great deal of flourish he had given the statement that two of his enemies had caught him by the arms, and the third had shot him.

He said what he had to say, and gave up the ghost. But he had created a storm. But, the judge went a step further.

When the shot had been fired, the ones who had 'caught him by the arms', were present in the judge's court. They also appealed to the judge. The pradhan is their enemy. He may even name them in his dying report out of revenge. The judge should mark their presence in his court in his file. This proof would be sufficient to clear their name, later.

The judge wanted to avoid becoming a witness and scared of being accused of groupism, avoided doing so.

Later on, handing out his judgement, the same judge used the old axiom. And those accused of catching by the arms were given punishment on the basis of the statement of the dying man.

Narata used to say – 'Where the law is both, blind and deaf, and where the judges do not have the power to investigate things on their own to get to

the root of the crime, where the parties watch the proceedings silently as spectators, where the rules and procedure are given more importance than justice, people of such a country need to be alert.'

Narata Ram was alert. He had also alerted the other workers of the sangh. They should not depose unless they have themselves seen the facts mentioned in their statements themselves.

These days, the samiti had created problems for the police, the prosecution and the judiciary. The reason behind this also was the Bunty murder case.

Ram Sarup wanted that the sangh should fully support the officers. If the samiti succeeds in frightening them, then the case would fall apart.

The other group opposed Ram Sarup in this also.

'The officers are dishonest liars and wily. They want the support of the sangh to cover their own failure. If they are true, then, why don't they face the situation fairly and squarely?'

The Narata Ram group was of the opinion that the sangh should help the officers only on merit. The good and upright officer should be rendered all help. But a guilty officer should not be given any support.

Who did not know about Bachan Singh's doings? If he had been upright, then he would not have been frightened by the the raid of the vigilance, and run away on leave.

The sangh was also fully aware about Nath's character. Which worker of sangh had not given money to Nath, sometime or the other? Some, to be released from a case of adulterated samples, and some on getting money out of a defaulting party.

Some of the cases listed by the samiti in its application to the high court for investigation, had been investigated by this group also. Whichever party they had contacted, had been full of complaints. Many had given money to the judge by selling the family gold.

Nath had not become Raja Harishchandra overnight by giving a postponement and sending the witnesses away in the Bunty murder case.

The sangh also did not approve of Kartaro's brothel. The Sangh did not have the courage to touch Lal Singh. If the same work had been done by the samiti, then why is it wrong? Who is not aware of the doings of these policemen?

'Organising camps for eye operations, or distributing blankets, and jerseys amongst the poor is not the only way to serve society. To help the people to counter corruption and ridding the society of this disease is also a social service. The sangh cannot turn away from this good cause.'

Thinking and arguing on these points, the workers clashed and fought with each other. The leaders were also resentful. One leader would decide on one program, but, the other would oppose it.

The workers were getting irritated by this verbal battles between the leaders. If one wants to serve society that can even be done without the sangh. Upset with all this, many of the workers now began drifting away from the Sangh.

On top of this, the cruel joke was that even Lalaji was not saying anything. Earlier, whenever there was any problem he would immediately solve it. His opinion was like the word of god for the workers.

After Bunty's murder, he had not attended a single meeting of the Sangh. He would sit at home, telling his prayer beads. If any worker would come to him for some advice, he would be irritated. He would advise him to try to solve his own problem himself.

Most of members of the sangh were from well-to-do families. They had joined the sangh to serve society, and not to be jolted about in the courts. What would they gain by indulging in litigation or groupism? They were waiting to opt out of this sangh. They now set up either a sports club or a social service organization.

The honest workers were really upset at the atmosphere of the court. They had heard that the court is like a temple. Another god resides there. But their experience had not been happy.

Bhandari was called the king of charity by the sangh, his true and ugly face had been revealed to them in the court. Once Narata Ram had seen how a widow had broken the piggy bank of her eight year old son to pay Bhandari's fee. The sight of the sobbing child had not affected Bhandari in any way.

Since that day, Narata Ram did not like going to the court.

He also had not liked Ram Sarup and Darshan telling lies after having taken an oath.

When the Narata Ram group was jeered at and nicknamed 'samiti's agents, then it completely broke away from this unpleasant situation.

On one side the sangh was now breaking up, and, on the other, the samiti was gaining strength.

Ram Sarup was restless. How long would the sangh keep watching the disintegration of all that it had worked for and achieved?

He consulted his secretary. It was the need of the time to bring the sangh together again. The case should be contested with full strength. Those who agree should remain in the sangh, and those who disagree should leave it. The sangh will keep fighting even if there are only these two left.

Conditions were gradually drifting to exactly this pass. Despite all the efforts of Ram Sarup and Darshan, the number of members did not increase beyond ten – with this handful, neither a procession could be taken out, nor could meetings be organized. But, even then, whatever could be done, at least that should be done.

The reorganized sangh decided to first meet the chief minister.

The sangh was annoyed with the chief minister. It seemed that he felt as if all had been achieved after the arrest of the guilty. After

that, neither had he visited the town, nor had he taken any notice of the case.

The police also, was now indifferent. It was not bothered about the success of the case in the court. Most cases fail because of the carelessness of the police. This case also was becoming a victim of this carelessness.

The sangh, first consulted many prominent lawyers. Then, they met the chief minister with many new proposals.

The chief minister welcomed the sangh.

After some desultory talk, the sangh's anger disappeared. The chief minister was aware of what was happening in the case. He knew of the most trivial incidents that had taken place. He was helpless. What could he do? He could not decide.

He pondered over the proposals presented by the sangh.

The result was visible in a short time.

Which judge should be posted in place of Nath sahib? Justice Shinghara Singh was called by him to his residence to discuss this problem.

The judge was related to the chief minister, and he had, also been made a judge by the chief minister.

Before he had started practicing at the high court, Shingara Singh was practicing at Patiala. Though he did not have much

practice, but Patiala was a good place. The chief minister had been the health minister in the last ministry. He had called Shingara Singh to Chandigarh then.

There was a dearth of educated members in the Akali Dal. The leaders were uneducated, and so were their relatives. At times, there were not many educated men to be elevated to the leadership by the jathedars. Seats are falling vacant in the high court. Whenever he gets a chance, he would make him a judge.

The Akali Dal was mostly in the opposition. The party would have to organize strikes. The leaders who were arrested for these political movements needed the high court. Shingara Singh would be of use in the high court.

It was on the basis of this maneuver that Shingara Singh had been made a judge.

Singhara Singh had also shown greater loyalty to the party, and the chief minister, than to the Constitution. Whenever it had been necessary, he disregarded the legal niceties and worked for the party. He had also carried out the personal work of the party leaders with great courage. If the party gave him a hint, a person who should have been released, he would sentence him to death. If the chief minister wanted, he would release a man who should have been given a death sentence.

Even now the chief minister needed his services.

The whole situation was explained to the judge.

Some such judge should be sent in place of Nath, who is known for his honesty, and would also not be intimidated by processions and meetings. This does not mean that he should be an obstinate ass, and not even care for the government. If the need arises, Shingara Singh should be able to manipulate him as a puppet.

Shingara Singh immediately suggested Mota Singh's name. He fully fitted chief minister criterion.

Shingara Singh was ordered to immediately post him to the town.

The second demand of the Sangh was to appoint a special public prosecutor to fight the case. This case could not be handled by worthless government prosecutors.

This service was given to Gyan Singh.

Gyan Singh was a leading lawyer at the high court. He considered it beneath his dignity to attend lower courts, but he was a close friend of the chief minister's. He could not say no to the chief minister.

A special emissary was sent to call Gyan Singh.

Gyan Singh would be given five thousand for each appearance. A car for the trip to and fro. He would stay at the circuit house. And he was promised that the moment the case was won, he would be appointed to some plum post.

Gyan Singh was neither tempted by the five thousand, nor by the car or bungalow. His fee was eleven thousand per hearing. That also at home. Sometimes, he would attend two hearings, and even three, in one day.

If he would go out of town, he would suffer a loss. His work here would be affected.

Who can say when a client or death may come? He could lose a few cases, or even many, if he leaves town.

He already had two cars. His bungalow was as large as the chief minister's.

If there was any temptation to accept the case, it was the chief minister's promise.

There were two vacancies in the high court. If the chief minister is pleased, then one vacancy could be filled.

If not a judge, then the job of the advocate-general.

If not that, then, he could be made the chairman of some board, corporation or commission.

He could also be given the party ticket and a ministership.

There was another temptation.

His practise would gain if he becomes the special public prosecutor!

The media would publicise the case, and the officers would also be interested in the case. Any and every lawyer does not get the chance of being appointed special public prosecutor. This meant the lawyer is close to the powers that be. The government was proud of the lawyer's abilities. The practise of a lawyer, who is well known in the corridors of power increases by leaps and bounds!

He would get to handle the official legal work.

He would also get his full fee. The officers would be more interested in pleasing him, than in the case.

Dreaming of a golden future, Gyan Singh accepted the proposal.

At his advice, instructions were given to the officers.

The District attorney would himself help the special public prosecutor. He should be in town at every hearing.

The police captain was given the duty of calling the witnesses, to persuade, and to present them to the government prosecutor.

A special police party should be set up for this purpose. A man of inspector's rank should head this party. This inspector would be responsible to the police captain and also the special public prosecutor.

A deputy secretary of the home department was given special charge of this case. The chief minister had to make frequent trips outside the state. He should issue orders on behalf of the chief minister, as the special prosecutor wanted, during the chief minister's absence.

The deputy secretary should be present at the district headquarters on the day of the hearing.

He should also keep in touch with the chief minister, and keep him informed of each incident.

Ram Sarup and Darshan were also introduced to the deputy secretary.

He was told to consider them in place of the chief minister. Was the sangh now happy?

Twenty Five

The Sangh was resurrected. The chief minister was again taking interest in the case. The officers were now relieved.

To win the confidence of the people, the new chief officer organized an *akhand path* at the thana. He invited the prominent citizens, the police captain and also the deputy commissioner. In the presence of the Guru Granth Sahib, the police personnel took the oath that in future they would neither do anything wrong, nor take a bribe.

The district attorney moved to the town many days ahead of the hearing. He also called two assistant attorneys to help him.

The full file was again examined closely. Was there any lacuna? If there is, then, how could it be removed? This was considered from all aspects.

After fulfilling his official obligations, the district attorney now focused on Gyan Singh. The special prosecutor was very close to the chief minister. The district attorney was on the look out for such a man. His term in this district was now over. There was a possibility of a transfer in February. If Gyan Singh was pleased, he could get his transfer stopped, on the pretext of the proceedings of the case. If he was not able to stop the transfer, he could, at least, help him get a good station.

Besides preparing the case, a great deal of attention was paid to making Gyan Singh happy. His choice in whiskey was found out, as also the snacks he liked with his drinks. Then, according to this, someone was sent to catch some partridges and another to buy some fish.

The police department also showed how serious it was about this case.

A special team was set up for the proceedings, Inspector Sundar Das was made the head. The team included officers who were good at writing reports, and also officers who were skilled in beating up culprits. The officers good at beating were to summon the witnesses. The skilled writers were to explain to them the statements they were to make. Sundar Das would himself deal with witnesses who would try to evade depositions.

The government publicized all these efforts through the media.

The Sangh was also determined that, this time it would not let witnesses fall into the hands of the Samiti.

Mota Singh also had, by now, taken up his post.

Stories of his honesty and courage spread far and wide.

One would say that he still owns neither a scooter, nor a colour t.v., despite eight years' of service. To finance his children's studies, he has sometimes to borrow from his provident fund, or from his friends.

Another would report – he is the son of sardars. He owns a share of fifty acres of land. He is not bothered about money.

Yet another related that he does not even bother about the chief minister. He had ever sentenced an MLA in a case of rape.

There was another story that once an industrialist of Ludhiana had come with one lakh rupees. The judge had thrown the bag of money on the road and had sent the seth to prison for trying to bribe him.

The Samiti was neither happy at Mota Singh's appointment nor disappointed. It is different to punish an M.L.A. under certain circumstances, or throw the money out, but, to withstand political pressure, and, to hand down an impartial judgment is different.

Even then, there was one satisfaction. Mota Singh would neither be tempted by lucre, nor be intimidated by slogans. No one would be given a postponement in exchange for a carton of whiskey, and no deputy would be allowed into his residence.

For the Sangh, it was a happy time. The Sangh was being applauded for the appointment of the special public prosecutor.

With this achievement, many of the workers, who had drifted away had returned to its fold. Its meetings were now well attended.

Although, both the parties had faith in the judge, but they were not willing to take a risk.

The police was busy keeping track of the witnesses.

The Samiti was aware of the plans of the police and the district attorney, and it carefully whisked away the important witnesses.

The Sangh got the police to guard its most reliable witnesses.

Whichever witnesses it could catch hold of, the police presented them to the district attorney.

The important ones were proving elusive. They were the ones who had to be explained things again and again. The special P.P. also had to work with them.

There was one day left for the hearing. Gyan Singh would arrive here early in the morning. The witnesses had not yet been rounded up.

Upset, the district attorney rang up the police captain.

The captain asked for a report from the intelligence department. Some witnesses are at Baba's bungalow and others at Gurmit's.

A confrontation with the samiti would become inevitable, if these witnesses were summoned. The captain was in no mood to pick up a fight. The intelligence, was not reliable. If the witnesses are not found at Baba's bungalow, there would be a big row. He was not willing to do anything illegal without the specific instructions of the chief minister.

The district attorney was silenced. His work was to persuade and explain things to the witnesses brought in by the police. The witnesses that had been brought had been given full instructions, and were singing like parrots.

If the police was hesitant in bringing in the other witnesses, then the district attorney was not going to invite any trouble for himself.

He kept quiet, and waited for the special public prosecutor.

The special public prosecutor arrived at the appointed time.

The report about the witnesses was not very satisfactory.

If the situation remains the same, then another postponement would have to be asked for, or else, allow the witnesses to appear for the defence. In both circumstances, the government would suffer.

The deputy secretary was given a call. He was asked to come immediately to the district headquarters.

All the officers considered the situation.

The gist of the discussion was that all the witnesses were false. The samiti had been successful in arousing their conscience. Now, the witnesses are avoiding having to lie.

Let bygones be bygones. It was the officers' duty to uphold the government's reputation. Some way had to be found to do this.

Gyan Singh wanted that the witnesses should be taken wherever they are. If they are not found, then, their families should be harassed.

Many officers did not agree with this view.

The deputy commissioner and the police captain had confirmed information that the Samiti was fully organized to withstand any attack. It was on the lookout for any such opportunity. The moment such a chance is presented to them, they would go all out to demonstrate their power. The government was to be defamed through rallies, dharnas, processions and meetings. Even if one witness was taken away by the police, a state wide movement would begin.

The deputy secretary also agreed with this. The chief minister had given strict instructions that the case should be won through legal action. The government has already got a bad name. The case should not be fought out in the lanes and roads.

There was only one legal procedure. First, the whereabouts of the witnesses should be discovered, as to which witness is lodged with whom. Then, a search warrant would be issued in his name.

An application for search warrants was filed in the court.

In the application it was alleged that the defence was threatening and intimidating the witnesses. Some witnesses were in its custody, they should be rescued. This was essential to ensure that the witnesses should depose in the court impartially and fearlessly.

The legal cell also filed an application before the granting of the warrants. It should also be heard before the warrants are issued.

The cell also had the same objection as the special public prosecutor.

The witnesses want to speak the truth, the police wants them to lie.

It was because of this that they were not allowed to depose. A postponement of a month was given by the judge, so that the police could do whatever it wanted.

Gurmit admitted that the defence had some witnesses. The Samiti was willing to produce them for the hearing. But the court must assure them that they would not be pressurized by any party. They would be allowed to give their statements freely.

Gyan Singh was now confused. The argument of the defence was right as far as justice was concerned. Had he been the defence lawyer, he would also have taken the same stand.

Gyan Singh's conscience told him that he should not oppose the Samiti's argument. But a lawyer has no conscience of his own. He has to listen to the conscience of the party he represents. At this juncture he was the employee of the government. He must say what the government wants him to say.

'They are the prosecution's witnesses. The public prosecutor has the full right to meet his witnesses and explain to them their statements.'

'Witnesses do not belong to any side. They would tell only what they have seen or heard personally. What is the meaning of teaching and explaining them anything?' Gurmit Singh contradicted Gyan Singh's argument.

The judge agreed with Gurmit. But where should the witnesses be kept till the hearing?

The prosecution felt that the jail was the best place for them.

The defence had a strong objection to this, Jail was another name of police station. Normally, it would be judicial custody, But that also would be under the control of the police. It had a free access to the premises. It could intimidate them. The defence could not even see them.

'I refuse to keep them at my residence!' The irritated judge left the decision of an appropriate place to the defence.

Gurmit suggested that the witnesses should be sent to the 'observation home' at Jalandhar. The employees there are not under the direct control of the government.

The court issued instructions to the authorities of the Home.

The witnesses should be kept separate from other inmates. No one should be allowed to meet them – the prosecution, the defence and also their families.

A panel of lawyers would also stay at the Home. It would have one representative from both sides, and one of the court. They would keep an eye on the witnesses.

The official party had not planned for this, but it had no alternative plan also.

The hearing was postponed for a week. This was done so that the witnesses may live in a free atmosphere and think without fear over the statements they wanted to make.

Twenty Six

The court proceedings began at ten sharp.

The district attorney was there to assist Gyan Singh. An old clerk was in attendance to the district attorney.

The clerk had a big official file in his hand. It was highly decorated as though it was a newly married bride. Brightly coloured flags marked the statements to be given by the witnesses, who were to depose that day. Each flag bore the name of the witness. Some law books had also been carefully arranged on the table. Flags in the books indicated the pages that may be needed for reference, or a clarification of a legal point.

As soon as the call for Mushtaq Ali was given, the old clerk read his name on the flag in the file, and turned the pages to his statement, and put the file before the special public prosecutor, with great courtesy.

Gyan Singh had been studying the file since the last many days. He now knew each word of these statements by heart. Even then, he looked through the statement, to go through the formalities.

The police story was that Mushtaq Ali, who has been working as a guard in the town since the last thirty years, is familiar with each road and lane of the town. If there was a stranger on the road, he could spot him at once. He could identify a stranger even by his walk!

On the day of the incident, he had been on duty in the hospital area. At about eleven at night, he had met two men, who were going towards the hospital, rather fast. One carried a sack, and with something wrapped in it.

The guard had stopped them under the light on the road. Where have they come from? Where are they going? He had asked them all these questions. One had given his name as Pala, and the other said that he was Meeta. They had just alighted from the train, and were going to *Dhankian ki basti*.

The guard had been satisfied. It was the time for train's arrival. They also had the look of *Dhankian di Basti*. There was no possibility of any theft taking place in the direction in which they were going.

One can find nothing in the basti during the day, what could be found at night?

The guard let them go towards the hospital.

The men the guard had met that night were the same who now stood in the dock. The sack in which Bunty's body had been found, was the same which one of the men had been carrying.

This witness was very important for the prosecution, but he was a supporter of the samiti. He had been under samiti's protection earlier. Even now, he had come from the 'home'.

Gyan Singh's experience told him that a witness who leans towards the defence, can never be relied upon to depose in favour of the prosecution. But, even then, he did see a ray of light.

The police and the guard are two sides of the same coin. One cannot survive without the other. The police needed the information that the guard could give regarding suspicious characters in the town, and, the guard needed the protection and support from the police. If the police does not give him protection, the bad characters would, in no time, thrash his life out of him. Gyan Singh hoped that the guard would not alienate the police.

Caught in this seesaw of hope and despair, Gyan Singh now began the examination.

Gyan Singh's hopes were soon dashed.

Had Mushtaq Ali resiled from his statement, it would not have surprised him, but the twist he now gave to the police story, was a matter of grave concern.

Ali knew the two who stood in the dock, from childhood. They had been often been caught by the guard when they had been thieves. He would himself give them a sound thrashing, and then hand them over to the police. Had they met him that night, had they committed a crime, Ali would not have let them go scot free. They had given up all their criminal activities from some time. Those who want to live respectably, don't roam about on roads.

Actually, it were not Pala and Meeta on the road that night, but a police jeep had been seen there. Earlier, whenever he had met the police jeep on his rounds, they would take a report of 'all's well' from him. That night, it seemed to be avoiding him. In the last round, it had gone towards the veterinary hospital, and had stopped there for a long time.

A curfew was in force during that period, in the town. There was no question of anyone loitering on the road. That night, neither had he met Pala and Meeta, nor had he given any statement to the police.

Ali was of the opinion that the corpse had been brought there by the police.

There was no sense in flogging a dead horse. Gyan Singh did not want to waste any more time in questioning Mushtaq Ali.

His deposition had, as it is, gone in favour of the defence.

The next witness was sent for immediately.

The next man to come in, was Tara Masih, who was the watchman at the hospital. He had also been in the ‘observation home.’ Gyan Singh could well guess what he would say.

The police story was that on that night, the watchman had seen two suspicious men coming out of the empty rooms of the hospital. He had followed them. There had been a scuffle, but the men had escaped. They had, however, left certain things, which had made it easy for them to be identified. One had dropped his wallet, and the other his turban. Meeta’s photograph was in his wallet. The turban had been identified by the dyer. It was Pala’s.

The witness was also very important for the prosecution. There was a probability of his going back on his statement, but the worse scenario would be for him to travel the same road Ali had taken. This was Gyan Singh’s worry.

The district attorney was reassuring the special prosecutor that this witness would depose in favour of the government.

Despite a strict watch on the inmates at the home, the police had been successful in establishing contact with him. Things had been fully explained to him, and threats had also been administered. If he stands by his statement, then, he would be rewarded by the government; but, if he goes back on the story, then he would be arrested.

It was very easy to trap him in this case.

He was the watchman at the veterinary hospital. It was his duty to patrol the premises. How was the body brought in while he was there? Either, he was the murderer himself, or was conniving with the murderers.

The officer, who had explained things to him was present in the court. Why would the watchman not support the police version in the presence of the officer?

What really happened was what Gyan Singh had been afraid of. Tara Masih was neither frightened by the threats given, nor the presence of officer in the court.

He very clearly supported the story that Mushtaq Ali had earlier narrated in the court.

The police, and not the accused had come to the hospital, the day the incident had taken place. When they found that he was awake, they were a little put off. He was asked to make some tea, so that he would not keep standing at the spot. By the time he came back with the tea, the police was gone. This had made him suspicious immediately. He was afraid that the police may have thrown something there to trap him, and, he had carefully looked around. He had found a sack in one corner of the room, which appeared to be strange, but Masih had not given it much attention.

An hour after the departure of the police, the hospital had been put under police control. The police itself had raised the alarm – ‘Bunty’s body had been found.’

The watchman had done nothing wrong. Neither had any stranger come there, nor had he scuffled with anyone there. Neither had anyone dropped his wallet, nor had anyone’s turban fallen.

After Tara Masih's deposition. Gyan Singh doubts had vanished. The defence lawyers were neither novices nor fools. They were fighting the case with great acumen and cleverness. They were beating the prosecution with its own weapons.

It was now clear that any further questioning could be dangerous. It is better to drop the matter here.

The remaining witnesses were of the Sangh. If they give their statements properly then there is a possibility that the accused may be convicted. Gyan Singh now turned his attention to these witnesses.

The first witness, who would go all out in favour of the story put out by the police, was Ram Sarup.

He was to testify to the recovery of the body.

It was in his presence that the accused had been questioned after their arrest.

During the interrogation, Pala was the first one to admit to the crime. The rod with which Bunty had been killed had been hidden by him in the ruins of the old furnace outside the town. He was the only one who knew about it. He could point out the spot from where it could be recovered.

Later on, while under arrest, he had helped in the recovery of the rod. That rod was in the court right now.

Meeta had also given a similar statement. The school uniform that Bunty had been wearing at the time of his kidnapping. Meeta had wrapped it in a newspaper, and buried it in his courtyard.

The police had then gone to Meeta's home. Ram Sarup had also accompanied them. The uniform had been recovered from the spot that Meeta had pointed out. Ram Sarup had identified the uniform as that of Bunty's.

Chargesheet of both the recoveries had been made. Ram Sarup had signed the charge report. The police had also taken his statement, which was correct.

Ram Sarup had no difficulty in repeating a statement which he had learnt by rote.

Pyare Lal was to cross-examine Ram Sarup for the defence.

Pyare Lal would have to make some effort to prove that all the witnesses who were appearing now, were interested witnesses. Interested witnesses are witnesses whose interest is less with ensuring that justice is done, but more with the interest of the party on whose behalf they are appearing. Such witnesses are not considered very important in criminal cases.

The preliminary questions were asked with this in mind. Ram Sarup had to say 'yes' in answer to all these questions.

It was correct that he was the president of the yuva sangh. The yuva sangh had been founded by Lalaji. The yuva sangh was totally involved in this affair since Bunty's abduction to date. The child should be recovered as fast as possible. Earlier, the sangh had resorted to strikes in the town on this point, it had also, organised public meetings and processions. The sangh had celebrated Pala and

Meeta's arrest. Now, it was pursuing this case. They had even raised slogans in the court, demanding that the accused should be hanged.

The next batch of questions were asked to prove that Ram Sarup had lied to attain this purpose.

It was not necessary to ask too many questions about the rod that had been recovered from Pala. The doctor had already proved that rod was not the one with which Bunty had been killed.

By establishing that the school uniform had been recovered from Meeta, the police had wanted to prove that the two accused were the actual killers of Bunty. They had stripped the body, with the idea of concealing the identity of the child.

But, the clever police and the wide-awake witness had forgotten the uniform that Bunty had been kidnapped in, had been delivered at Lalaji's home on the first day of the kidnapping itself.

To expose Ram Sarup, Pyare Lal now posed a few questions in a sarcastic manner.

Question : 'Does a child going to school wears one uniform or two?'

Answer : 'One'.

Question : 'Is it correct that Bunty's kidnappers had left Bunty's school bag and the ransom note under a measuring vessel in front of Lalaji house?'

Answer : 'Yes'.

Question : 'A uniform of Bunty was also found under the vessel, beside the satchel. Is this right?'

Answer : 'Yes sir'.

Question : 'Then, Bunty's uniform had already been recovered that day. How did Meeta have that uniform?'

Ram Sarup was now profusely sweating. Large drops of sweat were pouring down his forehead. He began shivering, stars danced before his eyes. Ram Sarup felt his blood pressure had suddenly shot up, and his head may burst anytime.

There was an absolute silence to hear the answer Ram Sarup would give. Time seemed to have come to a stop.

'Give an answer, man... yes or no?' The judge was not going to give any more time to him stand there in silence.

'How do I know about that? I know that the uniform was that of Bunty's.'

Ram Sarup had not been able to find an appropriate answer to the question, and had finally, fallen on to Gyan Singh's formula. While explaining the deposition, Gyan Singh had said that the witness should answer the questions he can answer well, but if there is a question which causes him confusion, he should avoid giving an answer and say – 'I don't remember.'

But, Pyare Lal was an expert in his own way. He was also not going to let go easily.

Ram Sarup was fully aware about the second uniform. He himself had stolen it from Lalaji's home. Having got the uniform, Nazar Singh had proudly exclaimed – 'This is going to nail one of them!'

At that time, what did Ram Sarup know that it was he who would be ensnared in the court!

Hearing the stupid answer that Ram Sarup had given, Gyan Singh was upset. He had accepted this case to gain name and fame. But, it now seemed that he was in danger of being defamed.

The second witness for the prosecution was Des Raj Bhandia. He was also one of Lalaji's followers.

Pyare Lal had wanted to use the same formula which he had used with Ghaffoor Mian. Perhaps, he also may not be able to lie brazenly after swearing on the Geeta. Pyare Lal hoped that one who was trying to reform the world, would not himself follow the wrong path. After swearing on the Geeta, Des Raj hesitated for a moment, But, he immediately collected himself, and rattled out his statement, as a though a tape was being played.

The measuring vessel left in front of Lalaji's home, had been bought at Des Raj's shop. The customer had also got his name etched on the vessel. Pala was the one who had bought the vessel. He was an old customer of Des Raj's. Earlier, he was selling stolen goods to Des Raj. This vessel he had bought a couple of days before Bunty had been kidnapped. Des Raj first identified the vessel from the name etched on it, and then, identified the buyer.

During the cross-examination, Des Raj had to admit that he was a wholesaler. He was also an income tax payee. Anything for which sales tax had to be paid, must be billed. But, neither had Des Raj given Pala a bill, nor was there any reference to such a sale in his account books.

'Why was not a bill made? Why was the sale not shown in the ledger?'

Des Raj had no answer to this question, but Pyare Lal had an answer.

The day on which Des Raj was claiming to have sold the measure to Pala, he was not even in town. That day Des Raj had gone to Jalandhar to buy utensils. Pyare Lal showed him copies of the bills, and the names of the firms where he had bought the goods. He also presented the sales tax forms that Des Raj had given to these firms at Jagadhari, and which bore his signatures.

Other evidence was also presented to prove that Des Raj was lying on oath in the court.

In the initial stages, the case had been investigated by thanedar Manbir Singh. He had summoned the utensil sellers and press owners to the police station to extract money from them. Manbir Singh had himself taken down Des Raj's statement. At that time Des Raj had tried to get out of the problem, by saying that he had gone to Jagadhari. If the measure had been bought by Pala, then why had not Des Raj given the police his name at that time?

The utensil sellers had, at that time, taken out a procession against Manbir Singh's harassment. They had put up posters against him all over the town.

The posters had signatures of Des Raj, among others. If he had sold the measure, then why did he give money to Manbir? Why did he not take Pala's name at that time?

Des Raj had no answer to any one of these questions.

He was cursing the day he had agreed to be a witness.

Kamal Prasad of the Kamal Printing Press would also have supported the police story.

The letter heads on which the threatening letters had been written by the accused, had been printed at his press. Meeta had got the work done. He had put a pistol to their head and got the work done. There were many terrorist groups going about with arms, threatening people and extorting money. If anyone were to disobey them, they would not hesitate to shoot.

Kamal Prasad had also printed the letter heads. He was afraid of the terrorists, and had, therefore, keep quiet. He had identified Meeta after he had been arrested.

It was now Mohanji's turn to cross examine Kamal Prasad.

Kamal Prasad admitted that he had been the president of the sewa samiti since many years. He was the leader in every camp that Lalaji had organised. All advertisements printed for the sewa samiti were printed at his press. He does not take any money from sewa samiti.

He always sat at the counter as befitted his status as the proprietor of the press. He did not have the technical skills to compose or run the machines. It was also not necessary for him to do so. The whole process had taken about an hour or two.

The letter head had been composed by which worker? Which worker had printed it? At what time did Meeta come? Where did he sit all this while? How could he threaten so many people all by himself? If he had left after giving a threat, then, why was the police not called?

Kamal Prasad had no satisfactory answer to any of these questions.

He only kept on repeating – 'We were all frightened.'

Kamal Prasad also did not remember whether good quality paper had been used for the pad, or inferior quality paper? If it was printed in single colour or two colours. Had any block been used or no? Had the same quality paper had been used for the whole pad, or, were different paper used?

To refresh Kamal Prasad's memory, he was shown the police file. He was asked to answer after he had seen the letters in the file.

Questions were again asked. It was correct that the letters in the file had been written on two different pads. One was of good quality paper, whereas the other was of inferior quality. The letters written on good paper were written in good quality ink, and the printing was in two colours. A block had been used to print the name of the group.

The other pad had been printed in one colour, and the printing ink was also inferior.

When Kamal Prasad was asked which pad had he printed at his press, he immediately pointed to the second type of the pad.

This was also right. This was the pad Nazar Singh had got printed from him. A work undertaken to oblige the police does not need good paper or good ink.

The letters that had been received from the real kidnapers were written in good quality ink. The inferior quality paper had been used by the police to get these threatening letters written later. The hand writing expert had already established this fact. The whole truth had finally emerged.

The last witness to appear that day was the one in whose presence the whole conspiracy had been planned.

This fact had to be established by Radhe Shyam, of the tea stall.

Radhe's shop was right opposite the truck union's office. Pala had often come to his shop, whenever he came to take delivery of the grain stocks. Meeta would also pass that way with his hand cart. He was also fond of Radhe's tea.

A day before Bunty was kidnapped. Pala and Meeta had come to his tea shop at day break. They had asked for tea and had gone into the last cabin. When he had taken the tea for them, he had overheard them. They were planning to kidnap a child for ransom.

Radhe was a family man. He did not want to get into any trouble. He had overheard them planning, but had forgotten about it.

Radhe Shyam's innermost truths were fully known to the defence lawyers.

His shop was located on municipal land. He had earlier been working at a halwai's shop. The halwai had the job of supplying tea during the Ram Lila celebrations. Radhe was one who delivered the tea.

Lalaji took pity on Radhe. First, he was given permission to set up a stall at the Ram Lila ground. Then, his case was recommended to the president of the municipal committee, and he was allotted this plot of land. In this manner, Lalaji had helped him to change his status from an employee to an owner. Radhe had blind faith in Lalaji. Had Lalaji asked him to jump into a well, he would have. Standing up as a false witness was hardly anything.

This was also correct that he had ten or twelve employees. There would always be about fifteen to twenty customers at his shop. Radhe Shyam was all the time tending to the cooking and the oven, where did he have the time to serve tea to the customers?

Then, why did he take tea to them that day? Radhe had no answer to this question.

Radhe was lying. No conspiracy had been hatched at his shop. To call Radhe's bluff, evidence was produced in the court by Mohanji.

The day when the conspiracy was shown to have been hatched at his Radhe's shop. Pala was not even in town. He was away to Patiala that day.

A relative of Jeevan the retailer, had been admitted to the Rajendra Hospital there, and Jeevan was going to Patiala to see him. Pala had gone with him. He had been suffering from some eye ailment for some days now.

The head of the ophthalmology department had personally examined his eyes. The relevant slip had been prepared by him in his own hand.

This was not all. Pala's case was complicated. He had been brought before the medical students. He had been in the college for two days, as his case was discussed by the teachers and the students. The day Bunty had been kidnapped was also among the two days he had been in the medical college at Patiala.

Mohanji produced the hospital card, the certificate by the head of department, and the verified statements of the medical students.

How does Radhe Shyam know of these details? He is an illiterate man. May be the conspiracy was hatched a day earlier or later..

'Then, it is also possible that the men in your shop could be Gama instead of Pala, and Natha in place of Meeta?' Mohanji remarked. 'Yes, it is possible!' Radhe now tried to change his stance, as had been explained to him by the prosecution lawyers. But, while doing so, he had admitted to something entirely different.

There was laughter in the court room at this answer. If the men in the cabin were not Pala and Meeta, then the whole problem was over! The defence had no need to do anything more!

With this, the day's proceedings had come to an end.

Before leaving his chair, the judge thanked both the parties. It was because of their proper handling, that the atmosphere in the court had been very friendly.

Disappointment was apparent on the faces of the prosecutors. They came out of the court with drawn and glum faces.

The defence lawyers were full of happiness at their triumph. The enthusiastic workers of the samiti surrounded the court room.

Some embraced Mohanji, some praised Pyare Lal, and some shook hands with Gurmit.

Baba was accepting congratulations from one and all.

No one was concerned about Pala and Meeta. Hand cuffed, they stood in a corner of the room. They wanted to hear something from their lawyers' lips.

What statements had been made by the witnesses? What were the arguments of the defence? Where is the case headed? After seeing and hearing all with their own eyes and ears, they had yet not been able to comprehend anything.

They were trying to assess something from the enthusiasm of the samiti workers. The case must be going in their favour.

Yet they still wanted a word of reassurance from their lawyers.

Pala did call out a couple of times, but his voice was lost in the din and laughter!

The police van had come to the court.

The constables were getting impatient to take the prisoners back to the jail.

They agreed to wait for a few moments when the prisoners had pleaded with them. But, when still no one had come up to them, they were taken out and put in the van.

The samiti realized their disappointment only when the van had disappeared from sight.

Jubilation immediately came to an end.

Pyare Lal must go to the jail. He must convey the good news to them personally. Arrangements for this meeting began.

Twenty Seven

After the evidence of the witnesses of the prosecution was over, then the statement of the accused were recorded. Then they were given the opportunity to defend themselves.

Had it been an ordinary case, then defence would have been given at least a month's time to gather various documents and other evidence and to contact the witnesses. This period can even be prolonged. Neither party is in a hurry. The defence is afraid of the punishment. The prosecution is frightened to see the accused being set free. The judge is reluctant to write a long judgement.

The situation in this case was different. Each party was bent upon the case being wrapped up fast.

The number of those who wanted the accused to be punished was far greater, than the ones wanting them free. Any prolonging of the case could be dangerous for the samiti. The defence witnesses could be persuaded to resile from their statements. The government could try to influence the judge. The government may also try some other trick.

The case had been weakened. There was no possibility of punishing the guilty. It was better for the samiti that the case should be decided fast.

The sangh was again on the brink of a break up. It would now be difficult to carry on for very long. Their lies had been exposed. Their witnesses were now ashamed even to show their faces. The chief minister was still in office. The guilty could still be punished because of the personal interest shown by the chief minister in the case. The moment he leaves his chair, they may be freed.

This case had created tension in the town. The administration was unhappy because of this persistent tension. Ever since the case had started, many officers had been suspended. Many had been told to go home. They were always afraid of being transferred out.

The administration felt trapped between two clashing bulls.

On one side was the sangh, which had the support of the government.

On the other side was the samiti, which could go to any limit. The manner in which it had collected the record and handled the witnesses of the

prosecution, had been an eye opener for the intelligent officers, and they had learnt the lesson of steering clear of them.

The administration also wanted the case to be decided soon. It was not bothered whether the guilty are punished or not. The case was bound to go to the high court. The meetings and processions would be held there, and the district officers would be rid of this case.

The judge was of the same opinion. He was under pressure from all sides. On one side, the government was wanting that the guilty should be punished. On the other hand, the spies of samiti were shadowing him. Mota Singh was living the life of a prisoner. He was scared to meet anyone, or even visit anyone. He did not even phone anyone. Who knows the samiti may be tapping the phone?

So far no one had approached Mota Singh, but he was constantly afraid of this happening. If a judge of the high court were to phone him, then what would he do? He wanted to get rid of this problem he was caught in!

With the agreement of all parties, the defence was given a date after a week.

Had the Bunty murder case not become a political case, the judge would not have given a week's time. Once, the prosecution's evidence had been taken, he would have ordered the guilty to run home. Not one or two or even three, but all the witnesses had demolished the police version.

Fully aware of the delicacy of the situation he had left it to the defence to decide their next course of action.

Do they want to present evidence in defence? If yes, then, what? To decide this point, the legal cell had held a meeting.

Pyare Lal was not in favour of putting up any defence. When the prosecution has not been able to establish any case against the accused, then, against what allegation should the defence provide evidence? They should understand the judge's view. This was what he had meant by giving a date for the next week. 'You stop the defence. I will punish the accused.' What was the need of wasting time and money by summoning the witnesses?

The next hearing should be for arguments, rather than evidence in favour of the accused.

Gurmit Singh was not in favour of taking the enemy to be weak.

The cell should recollect the history of political cases. The military courts had disregarded all constraints of law while sentencing Bhutto to death. Pyare Lal would also be aware of the murder case of the Chopra children? Ranga and Billa were victims of political anger. The Indira assassination case is a very recent event. Therefore, as far as possible, the defence should strengthen its position.

Mohanji offered his services to strengthen the defence.

If the prosecution has invented all the evidence, then the defence also should create some. If the cell wants, then, Mohanji could show any of the accused admitted in any jail on any day. He can also show whatever resolution they want, of any panchayat for whatever date they are needed. He can also get telegrams issued from any post office, as also the posting of registered letters.

Gurmit did not agree with Mohanji also. The cell was in a strong position. It would project only the truth and would not let go of the truth.

Courts rely more on papers and documents rather than on human beings. The cell would present a mountain of documents.

It had already presented some documents to the court.

More important than them was the file which the samiti had compiled, and on the basis of which, it had been able to get the police station raided.

On the basis of this, the warrant officer had to prove that one day prior to the arrest of the accused, when he had raided the police station, he had met Pala and Meeta sitting in the station along with the workers of the samiti at the police station.

A few witnesses had also been presented in support of this assertion.

The court had its own criterion of ascertaining the truth of the statements of the witnesses. The test of the reliability is according to the status of the witness. The officer was more reliable than the clerk, and industrialist more trustworthy than the worker, and the lender more than the borrower.

The defence had kept this attitude of the court in mind. Its witnesses were men of social standing and reputation.

Mohanji remembered one such case in which a deputy commissioner had appeared as a witness, and his appearance had changed the direction the case was taking.

In that case one partner of a firm had murdered another partner. The murder had been committed in a hotel. There were plenty of eye witnesses of the murder. The evidence of the witnesses was very reliable, and the motive of the murder was also clear. The quarrel between the partners was over money. There had been many altercations between them even earlier, but it was the first time that there had been a physical fight between them.

The murderer had a licensed pistol and had had shot his partner dead with that very pistol.

When all the possibilities of his being released had been exhausted, then the wise lawyer had found out a way. A friend of the murderer was deputy commissioner somewhere in Rajasthan. If he were to appear in his favour, then, the murderer may be saved.

The deputy commissioner had come for the sake of his friend. He had lied under oath, that on the night of the murder, his friend had been with him in Rajasthan. This place was five hundred miles away from where the murder had taken place. He needed at least one day even to fly out there after committing the murder.

It had become difficult for the judge to reject the deposition of an I.A.S. officer. What was the need for such a high ranking officer to lie, for such a trivial matter? This was what the law said, and also the heart of the judge..

The deputy commissioner's statement had set the murderer free.

To meet the legal expectations, the cell began fielding witnesses of good social standing and reputation.

The first witness in this sequence was Jeevan, the retailer.

He was a man of lakhs, an income tax payer. He was not the one to lie for a couple of hundreds, and would not lie on oath of actually damn his soul.

Pala also had reformed, like Meeta. He was now working at Jeevan's shop. On the day the conspiracy and kidnapping had taken place, Pala had gone to Patiala with Jeevan. He had been working at Jeevan's shop fearlessly, even after the kidnapping.

When arrests had begun then, a frightened Pala had come to him. Jeevan had presented him at the police station through the then public prosecutor, Gurmit Singh. This fact was verified by Gurmit himself appearing in the dock.

Whenever Gurmit would visit the police station in connection with his work, then he would meet Pala as also Meeta. He would ask the thanedar to let the two go. On some pretext or the other, their release was postponed.

It was against their arrests that he had resigned from his job.

Baba Gurdit Singh also did not lag behind.

Baba had set up a *sangharsh samiti* to protest against the atrocities the police had unleashed in order to find the killers of Bunty. Baba had been arrested during the protest.

When he was in police custody then Baba had also seen Pala and Meeta at the thana, along with the other detainees. . Baba had also talked to him.

The samiti had many more witnesses, but after Baba's evidence, the samiti felt that there was no need for any other witness. His evidence was unimpeachable.

Twenty Eight

The special public prosecutor had been preparing his arguments since the last three days.

Many times, it had occurred to him, why should he not perform the real duty of a government lawyer? Why should he not tell the court that there is nothing in this case? The accused should be let free.

But, immediately he would change his mind. The chief minister's regard for him, the thoughts of his own professional future, and the circumstances, all demanded that he should disregard his duty, and get the accused punished. He had to save the chief minister's reputation at all cost.

If the accused are set free, the reputation of the chief minister would suffer the most. The opposition would be after his blood. The government had, by now, paid about sixty thousand rupees to Gyan Singh in cash. It had also spent an equal amount on him. If the accused were to be set free, then, what was the need of a white elephant like Gyan Singh? This could have been done by any public prosecutor.

Gyan Singh's own reputation was also at stake. The government had depended on his ability. If the accused are set free, then he would be ridiculed, and his reputation would be in tatters.

While accepting the case, Gyan Singh had dreamt of becoming Mehnga Singh of Ganganagar.

Once, a group from Ganganagar had murdered someone in Bathinda. The uncle of the murdered man was a prominent lawyer of Bathinda. No lawyer of Bathinda dared to take up the case of the guilty party. The accused now brought their own lawyer, Mehnga Singh from Ganganagar to fight their case. Mehnga Singh succeeded in getting them off. The Bathinda people became his fans. He became the lawyer for more than half of the litigants there. From Bathinda, he went on to Sangrur, and from Sangrur to Patiala. These days, he is one of the leading lawyers of Punjab. He gets the fee he asks for. And takes only those cases that he likes.

If Gyan Singh were to concede defeat, then, instead of getting new cases, he would also lose the ones he has.

If Gyan Singh wants to emulate Mehnga Singh, then, he must see that the accused are sentenced.

But how would that come about? If Gyan Singh tried to find one point which would go in favour of the case, he found twenty which were against it.

Every time, he had to prepare his arguments all over again.

The biggest problem was that this was a blind murder case. There was difference of a month between the abduction of the child and the arrest of the accused. In the absence of eyewitnesses, the case was based only on circumstantial evidence. While creating the circumstances, the police had blundered at each step. The government lawyers had also closed their eyes to all this, and agreed to everything that the police had proposed. How could Gyan Singh infuse life into a corpse?

Irritated, Gyan Singh had written to the chief minister many times, recommending action against the guilty officers and government lawyers.

But, as soon as his anger abated, he would tear up the letter.

When he looked at it intently, they all seemed innocent to him.

First, pressure was put on the police. Arrest the guilty by the thirteenth day ceremony of Bunt. When the actual killers could not be found, then, these two were arrested.

Then, it was ordered, present a challan within ninety days. In order to comply, incriminating evidence was quickly created.

The investigator did not even have the time to find out if the accused were in town on the alleged day of conspiracy or no.

The preliminary investigation had been conducted by some other thanedar. In the first report, the recovery of the first uniform was not mentioned.

How could the new investigator dream of the recovery of the uniform?

Then, who could be blamed for the mess?

Gyan Singh had also come to support the government version. He must make an all out effort to win the case. If, even then the accused were released, this should not mean that Gyan Singh was incapable.

Troubled in his thoughts, Gyan Singh would first blame the officers, and then, would himself exonerate them.

A greater part of Gyan Singh's experience had been as a defence lawyer. He was used to think in that manner. Perhaps, it was because of that, he could see the loopholes so clearly.

Gyan Singh sent for the district attorney for his satisfaction. The D.A. was adept in presenting the government's version.

The D.A. was very happy at the doings of the witnesses. In such cases, some of the witnesses normally go back on their statements. Some witnesses do the disappearing act. But, all said and done, the evidence had been satisfactory, and all legal demands had been fulfilled.

'For instance?' When Gyan Singh asked for an example at the D.A.'s expression of satisfaction, the D.A. clarified.

The first duty of the prosecution is to establish the motive behind the crime. The evidence had clearly established Pala and Meeta's motive. They had abducted the child for the ransom.

'Any proof?'

'The letters written by them in their own hand.'

'Rot and nonsense?' Irritated at the D.A., Gyan Singh could not stop himself.

'Meeta is a notorious pickpocket. It is a moment's job for him to flick large amounts. Pala is a thief. He is known for selling stolen goods. Why would they take such a big risk for such paltry amount? Then, it has been established that those letters have not been written by them.'

'No, sir. In the existing conditions, it had become difficult in Punjab, to pick pockets and commit theft. The patrolling by the police is very strict. Where could then he pick pockets? Or thievery? Such professional criminals have changed their occupations. Now they are on to kidnapping for ransom. That is why there is an increase in kidnapping of rich people.'

'If they wanted ransom, then they should have asked for a lakh or two!'

'This shows their cunningness! They have deliberately asked for small amounts, for they knew that such small amounts would be easily given. It was Lalaji's misfortune that the police got the letter. Had he got the letter and delivered the money, the child would have been alive. Had this been the task of some terrorist organization, they would have asked at least for a lakh. This point is in our favour.' Finding that Gyan Singh was in agreement with him, the D.A. was encouraged.

'There is another point. Had there been some terrorist outfit behind the killing, would they have not shot the child? These are ordinary criminals. Where can he get expensive weapons from? They had abducted the child, but it became difficult for them to send him back. Had they sent him home

hale and hearty, they would have been caught. There was only one way for them to get rid of him. That is what they did.'

'What you say may be correct, but is there any proof to substantiate this in the file?' Gyan Singh gave more importance to fact rather than argument.

'Who does not know that the people of Punjab are frightened because of terrorism, sir? No one comes forward to depose, even if own one's father is killed before his eyes. In this case, the witnesses have been intimidated and threatened. These facts are in the file. Why have the witnesses resiled from their statements? The court would itself take a judicial vote of this.'

'D.A. sahib, we are not going to deliver a speech in some classroom or a seminar. We have to argue in a courtroom. We have to present proof for every argument we make to substantiate our claim. Instead of flying in the sky, plant your feet squarely on the ground, and talk.'

Gyan Singh had no other option but to scold the D.A. after the long, yet stupid speech he had made.

'Then, the facts are not of much use, sir. There is not a single statement which is clearly in our favour. We would have to take our stand on legal points, sir.'

'I can't see any point.'

The D.A. was now ashamed.

'There is a legal point, sir. Both the accused are known criminals. One is a pick pocket, the other thief. These are activities where it is easy to make good money. There are numerous such instances where the accused have given up their criminal activities, but when they had to work hard, then they went back to their criminal occupations. This is also what happened with these accused. That they are known bad characters is in our favour.'

'My good man, the defence would benefit from this argument more than we would. The character of our witnesses is more reprehensible than the accused. Those with good reputation, were Lalaji's followers.' No argument had appealed to Gyan Singh.

'The police does not have any enmity with the accused. Why would the police implicate them in false cases?' Finally, the district attorney put forth the well worn argument to the special public prosecutor.

'The police was in great need for this. The defence had mentioned this need on many occasions. If we use this argument, they are going to drag the chief minister's name in. They would say that Gyan Singh has been appointed because of the special interest the chief minister has in this case.'

The district attorney could not think of anything else to rebut this.

When Gyan Singh did not approve of anything, the district attorney was irritated. The special P.P. was a strange man! He was rejecting every point that the district attorney had suggested. Then, how is the case to be argued? This is what happens in an argument. The district attorney had always conducted his arguments in the court room in this manner. The accused are also sentenced. What else did Gyan Singh want from him?

Gyan Singh's discussion had brainwashed the district attorney. His confidence was shaken. He felt that there was nothing in the case.

Bhandari was also arguing the case on behalf of the prosecution. Why not test him? Perhaps, he may be able to suggest something new.

Bhandari was sent for.

'As far as the case is concerned, there is nothing in it. The accused are free, but, if Gyan Singh ji wants, then, they can still be punished.'

Bhandari minced no words in accepting his failure, and was now making a suggestion so that the situation may be retrieved.

'Wah, Bhandari sahib! Why wouldn't I want to win the case? I have come here only with this aim!' Gyan Singh was impatient to hear Bhandari's suggestion.

'Then, listen. They are other ways of getting the accused sentenced besides law and argument.'

Gyan Singh understood what was coming.

Bhandari was absolutely right. They will not wind up the argument tomorrow. They would leave it for the day after.

He would go to Chandigarh at night. Explain the whole situation to the chief minister. Suggest new ways.

Arrangements to punish the accused had been made.

Throwing the file and the law books to one side, he went to bed, and snored contentedly throughout the night.

Twenty Nine

The judgement was to be delivered after three days.

This period of three days was one of great tension for all.

Wherever two persons would meet, they would only talk about this case.

The lawyers seemed to have no other work. Those sitting in the bar room would praise the hard work of the members of the cell, and in their hearts would be envious of their success.

The senior lawyers had greater worries. New equations were emerging.

Not one, not two, but three new lawyers had demonstrated their acumen and ability.

Some lawyers attributed the success to Mohanji. He was the one who had dealt with the witnesses. Had he not been able to control them, then nothing could have been achieved.

Mohanji had become a senior lawyer overnight. Now, he went about saying that it was easier to work in higher, than in the lower courts. All the new session cases he had taken on himself. Once, the accused are released, he would be all the more emboldened. Then, it would be Mohanji – Mohanji in the session court also.

Some lawyers held Gurmit to be the real hero of the case. He did not say much, but worked very hard. His contacts with the police had been the biggest factor in winning the case. From the constable to the deputy, were all his friends. Had they not been able to get the copies of the reports, the statements, the actual and false letters on time, the case would have taken a different turn.

With the police to help him, it would not be difficult for a lawyer to succeed. Now, that Gurmit had decided to practice, criminal lawyers should now look for other places to practice.

Even Pyare Lal who had been condemned as a drunkard all these days, had emerged as a brilliant shining star on the legal firmament. He was the one who had shouldered the important responsibility of conducting the argument. The way he had handled each point, had impressed even the senior most lawyer. He had raised innumerable such issues during arguments to which the prosecution had no answers, when his questioning eyes would be raised to seek an answer, then, Gyan Singh would be wiping the sweat from his forehead, and he would look away.

Each person sitting in the court and listening to his arguments, was convinced that the accused were innocent. This was the hallmark of a good lawyer.

Out of the court, even Gyan Singh had to pat Pyare Lal on the back.

People were beginning to appreciate his ability. His cabin was no longer deserted. He was being engaged by some parties now.

The moment Pala and Meeta are released, his name would be at the top.

Wise munshis had gauged their bright future. So far, neither Gurmit had engaged a munshi, nor Pyare Lal. Some old munshis had begun luring them. Some clever ones had tried to entice them by giving them a case or two.

Some wise parties had also realized how capable they were. Some were waiting for the judgement. The moment Pala and Meeta are released they will bring their cases to them. They were already calculating the fee.

Watching all these goings on, Pyare Lal's heart was full of happiness. He was convinced that the verdict would be in their favour. Yet, he would be scared at times.

Every moment of the wait was like an eon for him.

People familiar with the court procedure, can easily judge during the arguments, which way the wind is blowing. Pyare Lal was impatient to assess which way was the judge inclined. Alongwith the future of Pala and Meeta, even his own future was at stake.

To quieten the curiosity of his heart, he would sometimes go and sit with Mohanji's munshi.

'The case would be won by the legal cell,' the munshi would say, and he would also be willing to bet on it.

'You had yourself seen how the judge was reprimanding the witnesses. How did this happen? How did that occur? The weak prosecution had nothing to say except mouth excuses. The judge had sought a few clarifications

from us. We had satisfied him every time. The advantage would be to the defence. No?’

Pyare Lal did agree with the reasoning of the munshi, but even then, he would be restless. Lachman Das was their munshi. Like the lawyer, the munshi was also eager for the case to be a success. He was bound to be happy.

Bhana, the nambardar, had also spent his life in the courts. He had also heard the arguments of both the parties. His opinion carried weight among the litigants. Often, the decision in a case had gone the way he had predicted, after having heard the arguments.

Though, the nambardar sat in Bhandari’s cabin, even then, Pyare Lal believed that he would not lie.

Sometimes, Pyare Lal would sit with Bhana.

‘You are going to win this case, nephew. You had taken a cartload of books to the court. Our lawyer had taken only three books. Those also, he had brought back without opening them. The one who has a strong case, only he would take books. And, nephew, the one who has law on his side, will alone win the case.’

The point about a large number of books did not much appeal to Pyare Lal. Sometimes, even one book outweighs all the arguments that may be quoted from ten books. The side relying on only three books was the government. It was not interested in impressing its client by the number of books that had been produced in the courtroom. This performance has to be enacted by the lawyers of the defence. Though, Pyare Lal had not put up a performance, yet, the number of books could not be the basis of winning a case.

Only senior lawyers could analyse the case properly. Many of them had watched the entire proceedings very carefully. Dhir was one of them.

When Pyare Lal found Dhir sitting all alone in the canteen, he went up to him.

‘Lalaji, if cases were be decided on good and bad points, then why would anyone complain? The judge weighs hundreds of things before deciding a case. Money, recommendation, the status and reputation of the parties involved. Merit of the case is right at the bottom. Honest judges have flouted law more often than dishonest judges. He is scared only of one thing. He may not lose face while acquitting the accused. People should not say that the judge has taken a bribe to acquit them. I fail to understand this rigmarole. Those who should be punished, get acquitted, and those who must be released, get punished. Till the verdict is pronounced by the judge, it is a shot in the dark.’

Dhir is frank and straight forward comment sent Pyare Lal’s heart ticking.

It became difficult for Pyare Lal to swallow this bitter pill.

‘An opinion is only an opinion. One can only give an opinion based on one’s personal bitter- sweet experience.’ Thinking thus, Pyare Lal gave up seeking opinions, and went after the real thing.

The judges steno was one such man who knew the whole truth. Since the last two days, the judge had been dictating the judgement to him behind closed doors.

Yesterday, when a tired steno had come out of the judge's chamber, Pyare Lal had accosted him.

'I have only written the first part. The real decision would come in the next part.' The steno had revealed only this much, when Bhandari's munshi arrived on the scene.

He began trying to drag the steno to his cabin on the pretext of giving him a cigarette or *biri*.

The munshi had greater influence on the steno than Pyare Lal. It was the first time that Pyare Lal had some dealing with him. The munshi was giving him some benefit daily.

The munshi and the steno had one common goal. One would catch the victim and the other one was to hit him.

'What I have told you is correct. Believe me.' The steno again assured Pyare Lal as he left with the munshi.

To avoid any infamy, the munshi took him to Shinde's cabin, and not to Bhandari's.

They first smoked a full pack of cigarettes. But, when the steno had not said anything even then, a bottle was sent for.

As he saw the bottle of liquor being taken in, Pyare Lal's hopes were blighted.

The steno would be drunk after one glass. In that state of inebriation, he would talk nonsense. He would make demand upon demand. And, if his demands were not met, then he would definitely do some harm.

'What is happening in the Bunty murder case?' When, after guzzling more than half the bottle and wasting two hours, the steno had not given him even an inkling, the munshi was compelled to ask him.

'I swear by the Devi. The judge has only dictated the facts. Until he does not sum up the argument, nothing can be said.'

'As you wish,' the munshi expressed his annoyance, completely, disregarding the steno's oath.

When, the steno did not yield after this, the irritated munshi poured the remaining liquor into glasses, downed one, and got up to leave.

'You are unnecessarily losing your temper.' The steno tried to appease the munshi.

The steno was not yet affected. He was not in the mood to get up.

He was now repenting his statement, which had annoyed the munshi. In trying to please the munshi he had also lost Pyare Lal.

He was also not the one to buy his own drink.

Pyare Lal's room was not very far. He somehow lurched his way to Pyare Lal's cabin.

Pyare Lal soaked him in liquor. But he still had nothing to say about the judgement.

The next day also the situation remained unaltered.

The judge was himself restless. He would dictate the order of acquittal, and then rescind that, to decide in favour of punishment.

Then, he would tear up all what had been written down.

The steno had been asked to come to his residence, the next morning. The judge had promised him, that he would make up his mind during the night. He would dictate the judgement tomorrow, under any condition.

‘Tomorrow would also come.’ Pyare Lal had nothing else to do but sigh, and wait patiently for the day.

Thirty

Restless, Pyare Lal could not sleep the whole night. Whenever he dozed off, he would dream of the events in the court room. The judge would be sentencing the accused sometimes, and acquitting them the next time. At one time, Pyare Lal is being praised, and another time, he is being criticized.

Two days had passed since the conclusion of the arguments. The steno was insisting that the judge has yet not made up his mind. Pyare Lal did not believe this. This was no case of opium or liquor, that one could dictate the decision at the last minute. For the judgement in such a case, the judge needed to make up his mind many days before the judgement was written down.

Pyare Lal had his own suspicions about the steno. He was lying because Pyare Lal had not given him any money.

It also may be that the accused were to be punished. The steno may be frightened, that the samiti may not start any agitation against the judge before the court’s decision being announced. If this were to happen, then, what would happen to the steno?

Impatient, to find out the truth, Pyare Lal got ready early morning.

He chose that road to reach the court, which passed before the judge’s bungalow.

He felt some relief when he saw the steno’s scooter parked in the front of the bungalow. The steno had not lied.

He wanted to sit there and go on to the court, only after having heard the good news from the steno.

But this was wrong. He could wait for the steno at the court also.

Turning all the pros and cons in his mind, Pyare Lal reached the court.

Gurmit was already there. Baba also came on their heels. They went to the canteen for some refreshments.

They began discussing the important issues of the twon as well as the world.

‘Say Gurmit, what do you think the decision would be?’ Pyare Lal’s mind was still working on the same track. He would bring all conversation back to the same point.

‘If the judgement is in accordance with the law, then, we will win, else we will lose.’ Gurmit’s opinion about the verdict was very clear.

‘And the greater possibility is of the second judgement’, Baba also did not want Pyare Lal to cherish any false hopes.

‘Why would not the judgement be according to law? The judge is a gentleman. Why would he ignore law? You shall see, the decision would be according to the law.’ Pyare Lal did not like anyone to talk about failure. It may be Baba or Gurmit.

‘Neither the judge is important in this case, nor law. The decision would depend on the government’s desire.’ Gurmit wanted that they should be prepared beforehand to face any situation that may arise. If they harbor high hopes, the coming disappointment may be greater.

‘If you already knew the decision, then what was the need to fight this *Mahabharat*? Why did we implore and plead with the witnesses? Why did we work the whole nights?’ Pyare Lal could not bear the thought of the fruit of his labour slipping from his hands.

‘Don’t be sad. Our victory is not connected with the acquittal of Pala and Meeta. Our destination is still far. We may lose the case, but even then, victory would be ours. We have awakened the public we have made them aware of what is the duty of a law abiding bar? We have demonstrated this to the people.’ Gurmit was trying to help Pyare Lal come out of his disappointment at the possibility of losing the case.

Pyare Lal was still confused. From Baba and Gurmit’s talk it seemed that they would lose. Pyare Lal still believed that they would win.

In this dilemma the steno acquired a greater importance.

The moment he thought about the steno, the steno appeared before them like the djinn from the lamp.

This time, it was the steno who seemed eager to tell him something. He was highly excited. What had happened at the judge’s bungalow? Narrating this he even forgot that he was standing in a public place like the canteen. His revelations may acquire wings and this may prove fatal for the steno.

Without weighing the consequences, the steno spewed out what was on his mind.

The steno was at the judge’s residence at the appointed time. The judge was waiting for him. His face was calm and mind composed.

As the judge began dictating, the bell rang.

The orderly came in and whispered the name of the visitor into the judge’s ear.

Though the visitor appeared to be illiterate, yet he was given due importance. He was respectfully shown into the drawing room. He was heard with a great deal of patience.

The guest had come to deliver some important papers and a personal letter.

At first, the steno took him to be some relative of the judge, but when he saw that the judge was upset then, he became suspicious.

After the visitor’s departure, the judge’s hold on the decision faltered. He would dictate something at one time, and another the next.

After working for an hour, when no result had been achieved, the judge then apologised to the steno. He was putting him to unnecessary trouble. Once he is able to concentrate, then he would write the decision himself by hand. If he is not able to do that, he would extend the date.

On his return from the judge's bungalow, the steno's suspicions were confirmed. The guest was no ordinary man. He seemed to be familiar.

By now, the steno had been able to recognize the visitor. He was the P.A. of Justice Shingara Singh. Two years ago, when Shingara Singh had come here on an inspection, the steno had met him at that time.

The reason of the P.A. disguising himself was apparent. He had come with some secret communication from Justice Shingara Singh. The message was connected to this case. The disguise was because of the fear of the samiti.

According to the steno, some untoward thing was about to happen.

By alerting the samiti, the steno had made his contribution to the on going movement for free legal help.

'What should be done now?' They got up from the canteen and went to Pyare Lal's bench to ponder over the future course of action.

They had just begin their discussion, when Jeevan appeared.

He had also come with some bad news.

He had received a phone call from Chandigarh. Their workers had been watching Gyan Singh's activities.

On his arrival from the town, Gyan Singh had gone straight to the chief minister's residence. Bhandari and a delegation of the sangh were also with him.

Later, the chief minister had sent for Shingara Singh. Then, they had cooked up something between them.

The decision had been got written by someone at Chandigarh and typed there. Shingara Singh's P.A. was bringing it here.

If possible, the P.A. should be surrounded here. Let the verdict go hang.

The Chandigarh people had already filed an application in the High Court that the case should be transferred from Mota Singh's court. But who has written the judgement? And where has it been typed? Solid proofs of all these have not yet been collected. Efforts to get all the proofs are on.

The application was to be heard tomorrow. If some proof is obtained by tomorrow, then the case would be transferred immediately. Or, at least a stay would be granted.

One application should be filed in the lower court also. Mota Singh should be asked to keep the decision pending till the decision of the higher court comes.

On hearing this, their faces fell.

Shingara Singh's messenger had eluded them.

Only an application could be filed, as an immediate action.

After hearing all this, Pyare Lal's eagerness to hear the judgement abated.

Thirty One

Mota Singh had been assured that the secret of the verdict would be between him and Shingara Singh.

But the filing of the application by the samiti, and the security arrangements imposed in the town, indicated that the information had become common knowledge.

This was the first occasion for him to deliver a judgement that he could not himself justify.

He had never done this earlier.

He was aware that he may have to pay a heavy price for this. He was being alienated from all, family and friends.

His relatives were all breaking away from him, one by one. They said, that he had become too proud because of his judgeship. What does he need his relatives for, now?

Officers were also now becoming more difficult. They said that he wants to project himself as Raja Harish Chandra. He does not bother about others, high or low.

Mota Singh was really not concerned about others. If those with recommendations are annoyed, let them be annoyed. The relatives may be put off, so be it. How could he throttle those who do not have support, or people to recommend them?

But, today he was going to strangle two such innocents.

Trying to steel himself to do something he himself found difficult to accept, Mota Singh was facing one problem after another. He tried to silence his own conscience with one plea after another.

The most powerful plea that he could hide behind was the one of the great debt of gratitude he owed to Shingara Singh.

Mota Singh was a big landlord, but was not a prominent lawyer.

His relatives were all in high positions. One was a S.S.P., and another a deputy commissioner. It was through them, that Mota Singh got his work. He also won his cases because of them. Yet, he was not counted among the top lawyers.

He also did not have any source of regular income. When his relatives were posted in nearby areas, his income rose, and when they were transferred to distant places, the graph of his income would fall.

Tired of these fluctuations and uncertainty, Mota Singh had been toying with the idea of starting some business, when his luck changed. His mother's brother, Shingara Singh, was elevated to the High Court.

As soon as he became a judge, the uncle took the nephew under his wing. Whenever as a vacancy would occur for the post of an additional session judge, his nephew would get it.

And this was the way it happened. The very next year, Mota Singh was made a judge.

His uncle, Shingara Singh, had sacrificed a great deal, for his nephew.

The uncle had got the chance to nominate someone to a post.

Had he wanted it, he could have sold it to the highest bidder, and made a packet of ten-twenty lakhs for himself.

He also could have used it to win some political favour. It may have opened his way to a future ministership.

He also could have pleased one of his bosses, had he so wanted. By doing this, he could have ensured his own elevation to the Supreme Court.

But, Shingara Singh had used his influence to protect the interests of Mota Singh.

How could Mota Singh now refuse Shingara Singh?

Mota Singh had never considered this chair as his own. To him, Shingara Singh had always seemed to be the real claimant. He would pronounce that judgement which, Shingara Singh would have pronounced, had he been in this chair.

Mota Singh hoped to get some peace by obeying Shingara Singh's orders. By doing that, he hoped to pay off some part of the debt he owed to Shingara Singh.

This was the first time his uncle had asked him to do something for him.

This also was something the uncle had been compelled to do. He was to retire soon. It was essential for him to keep the chief minister happy. If the chief minister was pleased with him, he may see him elevated to the Supreme Court, or make him the chairman of some enquiry commission. Can even recommend his name for a governorship or ambassadorship.

If there were be rewards to be distributed, then, Mota Singh would also get his share.

His promotion case was pending. The judge senior to Mota Singh had a bad record, but one group of high court judges was backing him. That group was not letting him be ignored. The opposite group was not letting him be promoted. This tussle had been going on for the last three years. Once the senior judge is taken care of, only then could Mota Singh get his promotion.

Once these accused are sentenced, then Shingara Singh's influence in the government circles is bound to rise. He would be in a strong position. Then, Shingara Singh can press for Mota Singh's promotion. If he cannot be promoted in the normal manner, then give him a special promotion. If the judges who released Indira with all honour, and, the ones sentencing Satwant Singh and

Kehar Singh to death, could be given special promotions, then why not Mota Singh? He is also walking in their footsteps.

He was the additional session judge here. A mere dignified clerk. And the district session judge is the lord of the whole district!

For some time, the thought of being the lord of the district had intoxicated Mota Singh.

But, the samiti's application, full of allegations, shook Mota Singh. His infatuation with Shingara Singh and session judgeship was abating.

Mota Singh had spent a restless night. How could he avoid murdering two innocent men? The thought troubled him the whole night.

The right and the proper way was that of Gurmit..

Gurmit had listened to the voice of his own conscience. He had given greater importance to resigning from his job rather than become a rubber stamp.

It was easier for Mota Singh than Gurmit to give up his job. Gurmit was totally dependent on his job for survival. Mota Singh had no financial problems and also no family problem. He had plenty of property. Both his sons were well-educated and holding good jobs. His only daughter was married.

If Gurmit could give greater importance to truth than his job, then why not Mota Singh?

Mota Singh could not be Gurmit. Economic conditions are not everything. Prestige and status are also important. His job was an ordinary job. And a session judge's job is like a king's. The police is at his beck and call, Rich and important defer to him. All this is rather difficult to renounce.

Then, the future would bring many promotions. High court, Supreme court, a governorship and many more things.

Had not Mota Singh been a judge, his children could have never got such prestigious positions and would not have got married into such good families. If he gives up his job, then what would his children's in-law say? When the marriages had been fixed those people had considered his status rather than anything else.

Mota Singh had to save his own chair, and also uphold his uncle's prestige and respect, and also keep his own conscience clean. He had to see a proper solution to this problem.

The first honourable solution was to accept the application that the samiti had filed. Instead of postponing the announcement of the decision, it would be better to defer the case.

The correct legal procedure also demands this. The honour of a judge is like that of a virgin. Even the shade of a doubt can blemish his impartiality. If an aspersion is cast on the impartiality of a judge, the case should be transferred to some other court, rather than announcing the judgement.

Had the situation been normal, Mota Singh would have followed this procedure. He would have enhanced his prestige by himself transferring the case.

But deferring the judgment at this stage was dangerous. The high court had already expressed its desire for a quick decision.

If the case is transferred, the higher court would become suspicious of Mota Singh. That he is either scared, or has fallen prey to greed. In both cases, his and Shingara Singh's reputation would be damaged.

By transferring the case, Mota Singh would be mentally relieved, but the accused would not achieve anything. No lower court had the guts to defy the wishes of a higher court. Whichever court the case may be transferred to someone like Mota Singh would be sitting there. If the accused are to be punished, then, why shouldn't Mota Singh hand down the punishment?

The accused can be helped by handing out a lesser punishment.

'Criminals like Pala and Meeta cannot be pardoned.' The government wanted to uphold its own reputation by impressing this on the people.

The people could be appeased by giving them life imprisonment. The aim of punishment is to safeguard society from criminals. The society would be relieved if Pala and Meeta are behind bars for life.

It would be better if Mota Singh were to hand out a sentence of life time rather than death. This way, he would be able to avoid the onus of being responsible for the death of innocent men, and the reputation of the government would also be upheld.

This way, even the accused would benefit.

The moment they are sentenced to death, the high court would have to review the case at once. If this happens fast, then, the result would be the same as the lower court's.

With a life term, the hearing of the high court would drag on for years, eight to ten, at least. This file, would also lie under a pile of other similar files. By the time its turn comes, plenty of water would have gone under the bridges. Neither the chief minister's chair would be there, nor Shingara Singh's. If there is still someone in the chair, he would not have time for this case. There would be numerous other problems facing him. People would have forgotten Bunty, Pala and Meeta. By the time, so many other innocents would have been killed. Which Pala would people run after?

Then, if at that time, the decision would be based on the merits of the case, then, even the most harsh judge would not punish them.

And, finding these accused released in this manner, Mota Singh would then be able to face his own heart.

The moment Mota Singh would gather the courage to make changes in the typed decision, the warning given by Shingara Singh's P.A. would come to his mind.

'This is the order of sahib. The decision has to be announced as it is.'

If the decision has to be announced then why spoil it?

Mota Singh would do what he has been ordered to do. At night, Mota Singh had steeled his heart, but now, when was going to occupy the chair and dispense justice, his strength was failing him.

Before leaving for the court, Mota Singh went to the room where the Guru Granth Sahib was kept. He prayed with full concentration.

'He Waheguru! Make the high court judge merciful, that he should accept the appeal of the accused. Please this servant of your from going to hell.'

Passing on the responsibility of his act on to God, Mota Singh was greatly relieved.

Thirty Two

Keeping the possibility of trouble in mind, strict security arrangements were made throughout the town.

The security troop had surrounded the judge's bungalow at night itself. A strict cordon of security was thrown around the whole area.

The stretch of one kilometer of road from the bungalow to the court was also under tight security.

Special arrangements were made to escort the judge to the court. A bullet proof car with black glasses was to take him to the court, with armed commandos on both sides. There was a pilot jeep to lead the car and an escort vehicle behind.

Section 144 had been imposed in the premises of the court. Let alone a stick or a kripān, the old and the disabled were not even allowed to take their walking sticks into the court premises.

There were more security guards than litigants in the court. Some were in uniform. But, a large number was in civvies.

The deputy was supervising oversee the security arrangements personally. Arrangement for lathi charge, tear gas, rubber bullets - every thing was there with real bullets, also.

Even the civil officers did not lag behind. Two fire brigade vehicles and two ambulances were standing by. The district magistrate had given all powers to the S.D.M.. He had full powers to give whatever order he thought fit.

The S.D.M.'s jeep had been fitted with a loud speaker. Walkie-talkie and the wireless system were also ready. He could establish contact from the district magistrate to each one of the constables on duty in the town. He was in the court premises, ready for any action.

Mota Singh was not pleased with all this. This show of strength was damaging the standing of the judiciary. He had expressed his displeasure to the district authorities.

Mota Singh refused to ride the official car, as a form of protest. He would go on his scooter to the court, the way he usually did.

The district magistrate had himself come to persuade him.

The administration was compelled to make these arrangements. It was afraid of both parties.

Mota Singh had found this argument futile. The Sangh was in no position to create problems. The danger could be from the samiti. The strict security measures meant being alert to any trouble the samiti could create. Being aware of this danger from the samiti meant that the accused are going to be punished.

Mota Singh must sit in the car. Were he free to give the decision he wanted the situation would then have been normal. The judgement had come from above. An angry samiti could harm the judge.

The judge was forced to sit in the car.

Strange ideas flitted through the judge's mind, as he sat in the car. He felt that he was in a worse situation than Pala and Meeta. He felt that he was in police custody. He felt that a pistol had been put to his temple, and it was this pistol which was compelling him to speak in the official language.

A few moments under police protection had given Mota Singh the experience of ages of imprisonment. He was again impatient to give the judgement that his conscience dictated.

Pinning his hopes on the relief that the high court may give the accused, he took his chair.

First, the accused were brought to the court.

Mota Singh looked at the two with a heavy heart and moist eyes.

Their faces were ashen. Their beards were hard and dry. Sunken eyes, and jutting jaws, and it seemed as though they were finding it difficult to breathe. Their bodies had shrunk.

These skeletons were in heavy irons.

The eyes of both were closed. Their lips were fluttering. As though they were saying their prayers.

They seemed in a hurry. Perhaps, they were thinking that their prayers would not be over, and the time for the judgement would be on them. As though they were aware of the judgement would be. As though they were talking to death. As though they would go mad in a few moments.

They opened their eyes once. Like mad men they looked at another god occupying the judge's chair. They immediately closed their eyes, the way pigeons do when even the shadow of a cat is seen near them.

'What would be going through their minds?' Mota Singh was trying to understand their mental condition.

'Perhaps they are asking god. By sentencing two innocent men, Mota Singh would also be guilty. Then, why would he get promoted instead of being punished?'

Mota Singh himself was able to find an answer to this why.

Instead of seeking an answer, he began turning the pages of the file.

After a few moments, lawyers of both the parties arrived in the court.

Before the judgement, it was essential to deal with the application of the samiti.

The district attorney was representing the government, and Pyare Lal had come on behalf of the defence.

Gurmit was not wearing a lawyer's black coat. Today, he was fulfilling the duties of a worker of the samiti, rather than those of a lawyer.

The whole situation was now very clear, yet, a ray of hope still lingered in some corner of Pyare Lal's heart. Perhaps, the Chandigarh people may have been mistaken. Neither could a type-written judgement come from somewhere, nor would a judge deliver a decision which had been written by someone else. Perhaps, Mota Singh's conscience may awaken. Perhaps, the plea of justice would outweigh all his personal considerations.

As he entered the court, Pyare Lal was still engrossed in such thoughts, clad in his black coat, to argue on behalf of the samiti for the application of the transfer of the case.

The defence took the stand that the government should not have any objection of postponing the pronouncement of the decision for a few days. The decision would not change in these few days. It would satisfy the defence.

The government had a strong objection to any postponement.

The government had received intelligence reports that there may be trouble on the day of the judgement. The samiti would create trouble if the accused are found guilty. If they are acquitted, the Sangh will create trouble. The government had made wide security arrangements. It had spent lakhs of rupees. It is difficult to make these arrangements again and again.

The court may deliver whatever judgement it wants, but it must deliver it today.

Yesterday, the district attorney had a phone call from the advocate general. No stay would be granted by the High Court. The delivery of the decision should not be postponed at any cost. If the defence is insistent, then it may be deferred till the afternoon. By that time the judge would be informed about the judgement.

On the suggestion of the government's lawyer, the decision was postponed till the afternoon.

Such applications are disposed of by the High Court by eleven o'clock. If the stay is granted, then a distant date would be given, if the stay is not granted, then, the judgement should be announced. During this period, both parties should try to gain information about the decision from their sources.

The district attorney received the information at eleven itself. The application had been dismissed. The defence had been rebuked by the court. The defence was in the habit of making allegations against every judge. If the high court were to transfer cases in this manner, then, how would the cases be decided?

The district attorney had also been told that this information had already been given to the judge by phone. But, even then, if the need arises, the district attorney should not hesitate to give his statement. He may use whatever trick he needs to, but the verdict should be handed out today.

The district attorney had got his verified statement typed, and was waiting for afternoon.

By the afternoon, the news had become public. The decision in the Bunty murder case would be pronounced today.

The samiti took advantage of the situation. They combined another piece of news with this. The accused would be hanged. The decision has been sent by the chief minister, from Chandigarh.

Large crowds gathered in the court to hear the judgement in this strange case.

The samiti workers were also among the crowds. Because of the imposition of section 44, they were afraid of being arrested, and they were scattered. Some were with one lawyer or another, some with the typists.

All workers of the sangh were in the court. Neither they were afraid of the police, nor police of them. They were free to go wherever they wanted.

The accused would be sentenced. Ram Sarup wanted that laddos should be distributed.

The police had a strong objection to this proposal. There was a possibility of the samiti workers smuggling in weapons into the court premises, despite the police. The sangh should behave with restraint, or any untoward incident could happen.

Hearing weapons being mentioned Bhandari was shaken to his very core. He was frightened because of his own deeds. Bhandari had practiced less in the court, and more outside it. He had met the chief minister many times. It was at his suggestion, that the special public prosecutor had been brought in. It was at his suggestion that the decision had been brought, typed, from Chandigarh. It was due to his efforts that Pala and Meeta would be sentenced.

The samiti was angry at Bhandari because of his personal involvement. The court was packed to its full capacity. The police was unable to control the crowd. If the samiti were to attack Bhandari, then who would come to his aid?

Bhandari was now repenting what he had done. He should have confined his activities to the case, like Mohanji.

Now, the best thing was to leave the court, on some pretext or another.

It was lunch time.

First, Bhandari left on the pretext of lunch. Then, he called up from home. He has a stomach ache, and would not be able to attend the court.

As soon as lunch time ended, the proceedings were again begun.

The lawyers of both the parties had received the information about the rejection of the application.

The judge was, now free to pronounce the decision.

Before giving the judgement, the judge called the lawyers of both the parties and the accused closer.

Before the judge could utter even a word, someone in the crowd assembled outside raised a slogan.

The sky was resounding with slogans.

Gradually the knot was unraveled. The slogans were being raised by the samiti. Baba's thunderous voice was changing the atmosphere. The judgement which was yet to be delivered inside, was already being announced outside.

The police had taken positions. Arrests had begun.

The slogans being raised by the samiti, and the orders of the police could clearly be heard.

The reader, steno, orderly and the district attorney, and all those in the court were frightened. It was clear from the noises being heard from outside, that anything could happen.

Everyone was afraid for themselves. Once, the decision is given, they would then try to reach home, safe and sound.

'Pyare Lal ji, excuse me. I cannot acquit your clients. The prosecution had a weightier case.'

The judge's voice and hand were both trembling, as he read out the judgement.

'Do you have anything to say about the punishment?'

Going through the motion of following the procedure, the judge asked the defence.

Pyare Lal was standing there full of anger. His face reflected his inner resentment at this show of formality. He was trembling with fury.

As though the crowd outside had heard the judgement being given inside. The samiti workers were incensed. The police panicked. A lathi charge was ordered, and made.

'Announce the decision which has been sent by the higher authorities.'

Pyare Lal had adopted a harsh approach now, when he had lost all faith in the judiciary.

'This is a contempt of the court.' The district attorney had a strong objection to this sarcastic statement of Pyare Lal.

'Not at all! A court is a place where justice is upheld. Where protection is given only to one side, and that also the government's version, no one could call such a place a court. If it is not a court, where is the question of its contempt?'

Pyare Lal stuck to his statement with great firmness.

Mota Singh ignored all this. In his heart, he applauded Pyare Lal. He was stating the truth.

The crowd outside was getting out of control. The fumes of the tear gas were fluttering into the court room.

'Judge sahib, please hurry. The crowd cannot be controlled much longer. Finish the proceedings, and leave.'

Suddenly, the deputy had come into the court. He had a loaded pistol in his hand.

'I have parked the car before your retiring room. Get into it, fast. You also, D.A. sahib.'

The deputy was panting, and the situation was becoming dangerous.

Hearing the warning given by the deputy all those in the court room were flustered. There was a car for the judge and the D.A.. The others have to protect themselves.

‘This is a very serious crime. They killed a young innocent child for the sake of a trivial sum. The punishment for such a serious crime cannot be anything except death. But, I give them a life term.’ Mota Singh had succeeded in throttling his own conscience fully. He had taken his courage into his own hands, and made some changes in the decision that had come from above.

Mota Singh read out the judgement in a trembling voice and signed the document with shaking hands. With the last letter he broke the nib of the pen and threw away the pen.

Out side, rubber bullets were being tired at the crowd. Actual firing could begin anytime, now.

Mota Singh handed over the documents to the reader. He walked upto the deputy with heavy steps.

They were about to go up to the jeep standing outside, when a heavy black thing was thrown at their jeep.

Everyone was startled. Mota Singh nearly cried out.

He looked at it sharply. It was a black coat which had been flung at them.

Mota Singh looked in the direction from where the coat had been thrown. This was Pyare Lal’s coat. He had also taken off his black tie. Getting rid of these black things, he was walking towards the crowd.

For a moment, Mota Singh wanted to pick up the coat and to hug it to his breast. This was an insult of the legal uniform.

The next moment he stopped. He himself had insulted this uniform more than anyone else. Mota Singh did not even have the right to wear the coat he was wearing.

He wanted to sidestep the coat, but the deputy did not have the time for this.

The deputy went ahead, trampling the coat.

Watching the coat being trampled underfoot, Mota Singh’s heart filled with bitterness. The khaki had crushed the black coat.