

**Fourteenth Loksabha**

**Session : 7**

**Date : 27-02-2006**

**Participants : Yadav Shri Devendra Prasad, Khan Shri Sunil, Dasgupta Shri Gurudas, Ananth Kumar Shri, Acharia Shri Basudeb, Ajnala Dr. Rattan Singh, Jha Shri Raghunath, Yadav Shri Ram Kripal, Malhotra Prof. Vijay Kumar, Dasmunsi Shri Priya Ranjan**

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Title : Submission regarding acquittal in Jessica Lal Murder case in Delhi.

SHRI GURUDAS DASGUPTA (PANSKURA): Mr. Deputy-Speaker, Sir, I have been trying, for the last several days, to raise a very important issue. Unfortunately, the House was not in a mood to listen. I am raising Jessica Lal's murder case in Delhi and the total police inaction. The issue is very clear. A lady, in her blooming youth, was murdered openly in a restaurant at 11 o' clock in the night in presence of so many people. Everybody knew who was the killer. Everybody knew how that group had come in a car but they have been acquitted.[\[a17\]](#)

What is the reason? The reason is very clear. The present Police Commissioner, who was, at that time, Joint Police Commissioner had conducted an inquiry and he had said that the evidence had been tampered with. A high police official had said that the evidence had been tampered with by the accused in collusion with some officials. That is the report and they wanted the police administration which was there, at that time, to conduct an inquiry, but it was not done. Therefore, two-gun theory was given by the prosecution to the court. This was deliberately done to let off the accused. This is one point.

The second point is, all the three witnesses have turned hostile.

The third point is that such a sensitive issue was left to be inquired into by the local police. The Criminal Investigation Department or the CBI was not involved.

The fourth point is, all the accused had money power and all the accused had very important connections with the corridors of power about which I do not want to name anybody.

So, the very conclusion is that the investigation has been diluted deliberately by the police to let off the accused and something more has to be added to the story. The judge who has given the judgement has now been promoted to become a judge of the Delhi High Court. ... (*Interruptions*) Let us not talk of parties, let us talk of criminals.

MR. DEPUTY-SPEAKER: Do not disturb. Please do not make a running commentary.

... (*Interruptions*)

SHRI GURUDAS DASGUPTA : Sir, I have a very simple point. The simple point is, since the lady was just a commoner and since the accused were very important persons and since they had enough power, firstly the police was bribed, the police had deliberately tampered with the evidence and important police officials asked the then Police Commissioner to investigate into the case.

MR. DEPUTY-SPEAKER: Please conclude now.

श्री गुरुदास दासगुप्त : कृपया मुझे दो मिनट बोलने के लिए मौका दीजिए। ... (व्यवधान)

MR. DEPUTY-SPEAKER: I have given only two minutes to you, but you have taken more than four minutes.

श्री गुरुदास दासगुप्त : मेहरबानी करके आप मेरी बात को सुन लीजिए। ... (व्यवधान)

प्रो. विजय कुमार मल्होत्रा (दक्षिण दिल्ली) : उपाध्यक्ष महोदय, यह मामला सदन का है। ... (व्यवधान)

उपाध्यक्ष महोदय : आप मंत्री जी को बोलने दीजिए।

... (व्यवधान)

SHRI GURUDAS DASGUPTA : Sir, the most important point is, the police at the bottom did not inquire and tampered with the evidence and the police at the top did not do the normal inquiry. As a result, the accused have all gone scot-free and the judge who had given the acquittal order has been promoted. So, one plus one plus one makes one thing clear, that is, justice, even in the Capital of the country, is denied. It gives the impression that even in the Capital of the country a lady can be killed in the open and police can be bribed.

Lastly, this matter comes under the Home Ministry of the Government of India. Therefore, I demand that the Government of India's Home Ministry must go to the court for the re-opening of the case. The case must be re-opened, there must be a re-trial and it must be done by the CBI. An appeal should be made in the court for this purpose. ... (*Interruptions*)

SHRI BASU DEB ACHARIA (BANKURA): Mr. Deputy-Speaker, Sir, I associate myself with the issue raised by Shri Gurudas Dasgupta. ... (*Interruptions*) This case should be handed over to the CBI for further investigation.

PROF. VIJAY KUMAR MALHOTRA : Mr. Deputy-Speaker, Sir, I also want to associate myself with this matter. ... (*Interruptions*)

उपाध्यक्ष महोदय : हम एसोसिएट कर देंगे।

...(ब्यवधान)

SHRI DEVENDRA PRASAD YADAV (JHANJIHARPUR): Mr. Deputy-Speaker, Sir, we all associate ourselves with the matter raised by Shri Gurudas Dasgupta. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: The names of Prof. Vijay Kumar Malhotra, Shri Basu Deb Acharia, Shri Mohan Singh and Shri Devendra Prasad Yadav will be associated with this matter.

... (*Interruptions*)

MR. DEPUTY-SPEAKER: Mr. Devendra Prasad Yadav, please take your seat. Your name has been associated.

... (*Interruptions*[\[k18\]](#))

प्रो. विजय कुमार मल्होत्रा : उपाध्यक्ष महोदय, यह मामला रीओपन होना चाहिए और हायर कोर्ट में जाना चाहिए। मामला सीबीआई को देना चाहिए। कुछ लोग, बड़े लोग पैसे के बल पर और अपने संबंधों के बल पर छूट गए।...(ब्यवधान)

SHRI BASU DEB ACHARIA : Mr. Deputy-Speaker, Sir, the case should be handed over to the CBI. All the accused have been acquitted. So, the promotion should not be given to the concerned judge. It is a clear example of miscarriage of justice.

SHRI MADHUSUDAN MISTRY (SABARKANTHA): Mr. Deputy-Speaker, Sir, I also want to associate myself with this matter. ... (*Interruptions*)

MR. DEPUTY-SPEAKER; Mr. Madhusudan Mistry's name will also be associated.

... (*Interruptions*)

उपाध्यक्ष महोदय: आपका और बसुदेव आचार्य जी का नाम आ गया है।

... (व्यवधान)

उपाध्यक्ष महोदय: आपका नाम एसोसिएट कर दिया है ।

... (व्यवधान)

उपाध्यक्ष महोदय: दासगुप्त जी ने जो कहा, आपने एसोसिएट कर दिया।

... (व्यवधान)

श्री देवेन्द्र प्रसाद यादव : उपाध्यक्ष महोदय, यह बहुत गम्भीर मामला है। ... (व्यवधान)

उपाध्यक्ष महोदय: मंत्री जी जवाब दे रहे हैं।

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Mr. Deputy-Speaker, Sir, I respectfully heard the observations made by hon. Member Shri Gurudas Dasgupta and other leaders and Members of the House on this issue. When this incident took place, I remember that the then Leader of the Opposition and Chairperson of the UPA Shrimati Sonia Gandhi expressed her deep concern on the day of the incident. I do not like to make any comment on what transpired in the trial court because it is not proper on my part to do that. This matter is the concern of the whole House including our party and I shall respectfully convey the concern of the entire House to the Home Minister today.

SHRI ANANTH KUMAR (BANGALORE SOUTH): Mr. Deputy-Speaker, Sir, the House has requested that the case should be re-opened. The Government should make a statement on this. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: I cannot compel the Government to make a statement.

SHRI ANANTH KUMAR : Sir, there has to be a categorical response from the Government. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing should go on record.

*(Interruptions)\* ...*

SHRI GURUDAS DASGUPTA : Mr. Deputy-Speaker, sir, I want a categorical assurance from the Government that the Government would appeal to the higher court and the entire investigation would be handed over to the CBI. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Mr. Dasgupta, your point has come on record. I cannot compel the Government to make a statement as you desire.

*... (Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: Sir, my duty is to respectfully convey the concern of the entire House to the appropriate desk of the Government and I shall do that. For information, I would like to submit that when this incident took place, the UPA was not in power, but the NDA was in power. ... (*Interruptions*)

SHRI ANANTH KUMAR : Sir, we want a response from the Leader of the House. It is a matter of grave concern. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Shri Ramji Lal Suman will make his submission now.

*... (Interruptions)*

MR. DEPUTY-SPEAKER: Nothing should be recorded except the speech of Shri Ramji Lal Suman now.

*(Interruptions)\* ...*

SHRI GURUDAS DASGUPTA : Sir, the Home Minister should make a statement. We want the Home Minister to make a statement on this issue. ... (*Interruptions*)

श्री सुनील खां (दुर्गापुर) : उपाध्यक्ष महोदय, मेरा नाम भी इसके साथ जोड़ दिया जाए।

उपाध्यक्ष महोदय: आपका नाम भी एसोसिएट कर दिया।

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\* Not Recorded.

श्री रघुनाथ झा ( बेतिया ) : उपाध्यक्ष महोदय, हम लोगों का भी नाम जोड़ दिया जाए।

उपाध्यक्ष महोदय: रघुनाथ झा जी का नाम भी जोड़ दिया जाए।

...(व्यवधान)

उपाध्यक्ष महोदय: आपका नाम भी इसके साथ जोड़ देंगे।

श्री राम कृपाल यादव (पटना) : उपाध्यक्ष महोदय, मेरा नाम भी जोड़ दिया जाए।

उपाध्यक्ष महोदय: श्री राम कृपाल यादव का नाम भी जोड़ दें।

डॉ. रतन सिंह अजनाला (तरनतारन) : उपाध्यक्ष महोदय, हमारी पार्टी का नाम भी जोड़ दें।

उपाध्यक्ष महोदय: इनकी पार्टी के सभी मैम्बर्स का नाम भी इसके साथ जोड़ दें।

...(व्यवधान)

उपाध्यक्ष महोदय: आपका नाम जोड़ दिया है और एसोसिएट कर दिया है।

...(व्यवधान)

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