Lynching Investigation - Pehlu Khan Case

Why in news?

All six adults accused of lynching Mr. Pehlu Khan, a farmer, have been acquitted by an Alwar court, Rajasthan that gave them the “benefit of doubt”.

What is the case about?

- In April 2017, the dairy-farmer from Nuh, Haryana, Pehlu Khan, was assaulted by cow-vigilantes while he was making his way from a cattle fair.
- The video footage of this incident went viral.
- The court did not admit the footage because it had not been forensically authenticated.
- Two years after the lynching, neither the Rajasthan police nor the prosecution that presented the video for inclusion as evidence had sought forensic verification.
- Notably, the Rajasthan police separately investigated the lynching twice.

What are the disparities in the case?

- The court order is an outcome of careless investigation in the case.
- **Accusation** - Khan, in his dying declaration, named six persons.
- The court said that these were not named in the complainants’ (Khan’s sons) statement to the police, as required under Section 161 of the CrPC.
- The accused were identified and charged on the basis of the video that went viral.
- However, the state police had failed to seize the device on which the viral footage was made.
- Another witness, who had shot a separate video of the lynching, turned hostile.
- In September 2017, the state police gave a clean chit to the 6 persons named by Khan in his statement before his death.
- This was on the basis of call records and statements from the employees of a cow shelter 4 kilometres from the crime spot.
- One of the six named by Khan is alleged to be the manager of the shelter.
- **Doctor certificate** - The police recorded Khan’s statement at the hospital to which he was taken for treatment.
- But no certificate was obtained from the doctors in charge to show that Khan

was in a condition to give the statement.

- **Record** - The investigating officer presented the recorded statement at the police station 16 hours later, which is a serious lapse.
- **Cause of death** - The Behror Community Health Centre's post-mortem report suggests that the assault was the cause of death.
- However, the doctors at Kailash Hospital, where Khan was taken for treatment, told the police that the cause of death was heart attack.
- The Rajasthan police also registered charges of homicide against the accused only after public outcry over the lynching.
- **Charges** - Meanwhile, of the seven FIRs registered in the case, six are under the Rajasthan cow-protection law.
- And Khan's sons and others have been named for transporting cows illegally, despite submission of documents showing that the transport was legal.
- One of those named by Khan was caught in a sting, admitting to have seriously assaulted Khan over a period of one-and-a-half hours.
- In all, the case brings to light many inconsistencies in the investigation process.

Source: Financial Express

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