

Samjhauta Express bombing:

Indian Court allows violent Hindu supremacists to go scot-free

By Kranti Kumara
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In what is now a consistent pattern in court-cases involving terrorist acts committed by violent Hindu supremacists against Muslims, an Indian special court in late March exonerated four Hindu extremists who had been implicated in the February 2007 bombing of the Samjhauta Express.

Dubbed as a “peace” train, the Samjhauta Express plies biweekly between India’s capital, New Delhi, and the city of Lahore in Pakistan to facilitate mutual visits by family members permanently torn apart by the reactionary 1947 communal division of the subcontinent into India and Pakistan.

The bomb blasts occurred while the train was en route to Pakistan. The resulting inferno in two passenger carriages burned 68 people, including children, alive. Forty-three of the victims (44 according to Pakistan) were Pakistani citizens and ten were identified as Indian citizens. Fourteen of the charred corpses have never been identified.

The acquitted, all of them linked to the shadowy Hindu terrorist organization Abhinav Bharat, include Swami Aseemanand, a self-styled extremist Hindu monk, and his cohorts, Kamal Chauhan, Rajinder Chaudhary and Lokesh Sharma. Aseemanand, who has been implicated in several other bombings against Muslims, was named by the National Investigation Agency (NIA) that carried out the botched investigation, as one of the ring leaders of the Abhinav Bharat terror network.

In delivering his verdict, the presiding judge said there were “gaping holes” in the evidence the prosecution had presented. He observed that “very strangely” the NIA, after learning that suitcases with unexploded bombs retrieved from the train had their covers stitched by a tailor in Indore—a city in Madhya Pradesh known to be hotbed of Hindu extremists—did not attempt to determine the tailor’s customers and investigate them.

“Thus, the investigating agency [lost] a very valuable piece of evidence by not conducting investigation properly in this regard.”

Although the judge expressed “deep pain and anguish” that “a dastardly act of violence” remains “unpunished for want of credible and admissible evidence,” he himself summarily dismissed a last-minute appeal by Rahila Wakeel, a Pakistani citizen and the daughter of Muhammad Wakeel who was killed in the blast.

In pleading with the court to hear her and other Pakistani eyewitnesses, Rahila pointed out that they had either never received the previous court summons issued by one or another of the eight judges who presided over this protracted case or had been denied visas by Indian authorities, making it impossible for them to appear in court.

BJP celebrates the acquittals

Home Minister Rajnath Singh of the ruling Hindu Supremacist Bharatiya Janata Party (BJP) has categorically ruled out any appeal of the verdict to a higher court. He added that it is his “personal stand” that “Pakistan is always responsible for such terrorist attacks.”

For his part, Prime Minister Narendra Modi immediately seized on the verdict in the Samjhauta Express case to pounce upon the Congress Party, whom he charged had coined the term “Hindu terror.” He thundered in front of his supporters: “How can the Congress be forgiven for insulting the Hindus in front of the world? Weren’t you hurt when you heard the word ‘Hindu terror’? How can a community known for peace, brotherhood and harmony be linked with terrorism?”

Singh’s cabinet colleague, the multimillionaire Finance Minister Arun Jaitley, also denounced the Congress Party for having pointed to the involvement of persons with longstanding ties to the Hindu right, including the RSS—the Hindutvaite organization to which Modi and most of the BJP’s principal leaders and activists belong—in bombings that targeted Muslims. Jaitley demanded that the Congress Party, which headed the government when the existence of a Hindu terrorist network was first exposed, issue a public apology to “Hindu society.”

The foul, celebratory statements being made by Modi and other high-officials of the BJP government over the Samjhauta Express verdict only serve to further demonstrate that violent Hindu communalist groups enjoy the patronage and the protection of the Modi government. Over the past five years of BJP rule, Hindu extremist violence, including the lynching of Muslims, attacks on Dalits and Christians and execution-style killing of critics of Hindu supremacism have all increased dramatically.

In Uttar Pradesh, India’s most populous state, Modi installed as Chief Minister Yogi Adityanath, a mahant (Hindu high priest), who was facing numerous criminal charges for inciting violence by members of the Hindu youth militia that he had founded, the *Hindu Yuva Vahini*. While UP has subsequently been the scene of numerous outrages against Muslims, including a wave of summary police executions under a government ordered shoot-to-kill crackdown on “crime,” the Chief Minister has ordered all the complaints the state had filed against him and his accomplices withdrawn.

There is a long history of communal mob violence incited and facilitated by RSS and BJP leaders. Modi himself first came to national prominence when as Chief Minister of the western state of Gujarat in 2002, he incited and presided over a pogrom against Muslims. Despite ample evidence that he and his henchman, the

current BJP president Amit Shah, ordered police to effectively stand down allowing days of violence across the state that killed over 1,400 persons and drove hundreds of thousands from their homes, neither of them has been made to juridically answer for their criminal role.

A Hindu supremacist terror network

The exposure in the fall of 2008 of a Hindu terrorist-bombing network—one moreover with connections to active and retired military personnel—was something new, however. When evidence emerged tying some of those implicated to senior BJP and RSS leaders, the Hindu right responded with great nervousness. BJP leaders sought to distance themselves from the accused, while denouncing the concept of “Hindu terrorism”—i.e., of terrorist atrocities committed by Hindu supremacists akin to that perpetrated by Islamist terrorists—as a fabrication and “political conspiracy” of the Congress Party.

Subsequently, the BJP and RSS seized on the November 2008 Mumbai terrorist attack, carried out by a Pakistan-based group, to drown out any and all discussion of the Hindu terror network. In this they were aided by much of the corporate media and by their sympathizers throughout the state apparatus.

As for the Congress Party, it oscillates between cowering before and conniving with the Hindu right. India’s police and courts have systematically failed to prosecute and convict those responsible for numerous communal outrages, including the 2002 Gujarat pogrom, the 1992 razing of the Babri Masjid in Ayodhya, and the 1984 Congress-led anti-Sikh riots.

One by one the court cases against the accused in the Abhinav Bharat have unraveled. In some cases, the Hindu extremists have been freed due to “lack” of evidence, “bungled” investigations and prosecution witnesses suddenly going hostile. In others, the cases are stalled in the courts, with many of the accused, including alleged ringleaders like former Military Intelligence officer Lieutenant-Colonel Prasad Shrikant Purohit, allowed to remain at liberty on bail—something otherwise unheard of in Indian terrorist cases.

In addition to the aforementioned Samjhauta Express bombing, these cases include:

#The 2006 Malegaon bombing: In September 2006, Hindu extremists planted explosives in a cemetery next to a mosque in the town of Malegaon in the state of Maharashtra. The blasts killed 40 persons, mostly Muslims, and injured over 125. Initially, Muslim suspects were rounded up and charged. After years in custody, the nine Muslim accused were freed after a court concluded the Maharashtra Anti-Terrorism Squad had fabricated the evidence against them, so as to allow the true perpetrators to go free. In the meantime, Hindu extremists belonging to Abhinav Bharat were implicated in the Malegaon bombings. Years on, they have not been brought to trial. Special Prosecutor Rohini Salian was sacked after she complained of high-level pressure from the NIA to “go soft” on the accused.

The Makkah Masjid bombing: In May 2007, former members of the RSS planted bombs in Makkah (Mecca) Masjid in the city of Hyderabad located in the southern India. Swami Aseemanand and four others were charged and brought to trial. Despite Aseemanand voluntarily confessing in the presence of a magistrate, he and his co-defendants were all exonerated at trial.

The Ajmer bombing: In October 2007, three persons were killed in a blast at a Muslim shrine in the town of Ajmer in the northern state of Rajasthan. Two former RSS members were given life sentences, but

Swami Aseemanand was acquitted. However, in August last year, the Rajasthan High Court suspended their life-sentences based on an appeal filed on their behalf by other Hindu extremists and they have now walked out of prison on bail.

The 2008 Malegaon and Modasa bombings: In September 2008, bombs exploded for a second time in Malegaon and in Modasa, a town in the state of Gujarat. Five were killed in the former and a 15-year old boy died in the latter blast. The NIA has closed the Modasa case and has yet to frame any charges in the second Malegaon bombing. The Hindu extremists arrested in connection with the 2008 Malegaon case, including Lt. Col. Purohit, have all been released.

While the authorities have systematically failed to convict those responsible for the wave of anti-Muslim bombings between 2006 and 2008, there has been a series of unsolved assassinations of prominent opponents of the Hindu supremacist right.

Dr. Narendra Dabholkar, a medical doctor and crusader against self-styled “godmen,” was assassinated on August 20, 2013 during his morning walk with all the evidence pointing to Hindu extremists who had denounced him as “anti-Hindu.”

On February 10, 2015, Communist Party of India national executive member Govind Pansare and his wife were shot dead by two men on a motorcycle when they were returning home from their morning walk. Pansare was a strident opponent of the vile Hindu caste system and was in the crosshairs of Hindu extremists.

Dr. Malleshappa Kalburgi, a 76-year old retired professor and vice-chancellor of Karnataka’s Hampi university, was shot dead by two assailants August 30, 2015, who came to his home posing as students. Kalburgi had been vehemently denounced by Hindu supremacist groups such as the VHP (Vishwa Hindu Parishad or World Hindu Council) and the RSS, after having declared his opposition to idolatry during a June 2014 seminar in Bengaluru (Bangalore).

On September 5, 2017, Gauri Lankesh, a 55-year-old former *Times of India* journalist and the publisher/editor of a Kannada-language weekly named *Gauri Lankesh Patrike*, was shot dead by Hindu extremists as she was entering her home in Bengaluru. She was targeted because of her trenchant criticism of the noxious Hindutva ideology developed by V.D. Savarkar and today espoused by the BJP and RSS.

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