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## TIME OUT

## Ends of justice

Sometimes the process never ends

BHAI MAHAVIR

TO EDITOR EMAIL PRINT

Posted online: Saturday, February 18, 2006 at 0000 hours IST

The news headline said it all: 'Bride found hanging from a fan'. The bride's brother lodged a complaint in the police station, alleging extortion on the part of the groom's family. The deceased girl's husband applied for a CID investigation. That was easily granted.



Investigations found that there was no evidence in support of the allegation. Instead it was unearthed that the girl was having an affair with a local youth which had led to the subversion of three earlier marriage proposals attempted by the parents. The conclusion was clear: family pressure had forced the girl into wedlock and despair pushed her to take the fatal step.

And on this hangs a long tale of Advertisement our criminal justice system's convoluted functioning. The CID moved for a closure of the case under IPC 302 and 498A. There were as many as 49 hearings over 45 months. One witness, the deceased girl's 'chachi', failed to respond to five notices over as many months. She turned up only when warrants were issued. A date was fixed for arguments, but on that date the CID took permission for producing another witness. His statement could not be recorded, however, because of the transfer of the presiding judicial magistrate.

When the new incumbent took charge, he saw the bulky file and ordered that the decision will be announced some weeks later. But on the appointed date, surprisingly enough, he asked for a gazetted CID officer to investigate the whole case afresh and report back to him in three months. An officer of DSP rank performed the job, and gave a final report. The court accepted it and wished to study it. After three monthly adjournments, the judicial magistrate decided to send the case to the Lok Adalat, although there was precious little left in the case. There the plaintiff pleaded for money for his younger daughter's marriage because the accused had "plenty of it"! For no apparent reason, except to end the case, the judicial magistrate urged the husband to shell out a lakh. It was the fifth magistrate (after four transfers) who announced the decision verbally. Curiously enough he refused to give a certified copy of his order to the accused, possibly because he did not want them to appeal against it!

Justice as an objective is fine to dream about, but difficult to define and even more difficult to ensure!

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