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Human Rights Alert

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### **Press Release**

The Supreme Court reprimanded the CBI in the hearing of the EEVFAM v/s Uol case held today at courtroom no. 4 of the Supreme Court of India at 2.30 PM. Justice Madan Lukur pointedly told Mr. Aggarwal DIG CBI “There is something terribly wrong with the investigation!”.

The CBI submitted the status report in sealed envelope to the Court and copies are not made available to the other parties. The petitioners also submitted a chart analysis the 42 FIRs made available by the CBI website. The petitioners pointing out that the FIR filed by the CBI is nothing more than renaming the earlier FIR filed by the police and security forces against the deceased victims. Fresh FIR on the basis of the findings of the Commission of Inquires, Judicial Inquires, NHRC findings against the security forces are not filed as till date.

The Additional Solicitor General representing the CBI argued that all facets of the incident will be examined and if the security forces are found to be guilty charge sheets will be filed against them. But the Court was not satisfied with the responds.

Colin Gonsalves pointed out that the Court in its Judgment dated 14 July 2017 specifically asked the CBI to file FIR on fake encounter or excessive use of force by the security forces. He read of from the Judgment that it is repeated at least five times. But even after eight months of passing the judgment CBI is posing as if they are ignorant of this fact.

Ms. Sobha, counsel of the NHRC also pointed out to the Court that in one of the finding of a Commission of Inquires, the names of the alleged accused security personnel are clearly mentioned and it is recommended that FIR be filed against them. But in the same case, the CBI ended up filing FIR against the deceased victim for attempt to murder. She wondered if this is not contempt of court what is it? She wondered if the CBI is investigating if the person killed himself?

The Court asked three office of the NHRC to assist the CBI to investigate the 17 incidents that NHRC has already found prima facie case of fake encounter and take up these cases on priority basis.

The Court has also sternly told the CBI to proceed with the investigation as per the direction of the Court and not otherwise. The next date of hearing is fixed on 12 March 2018.

(Babloo Loitongbam)  
Executive Director