

PRESS RELEASE

India - Teesta doing okay so far in police custody: Javed Anand

Wednesday 29 June 2022, by [CJP](#) (Date first published: 28 June 2022).

Setalvad's activist-journalist husband and lawyers allowed to meet her; she has access to medication

In some comforting news coming in from Ahmedabad, Teesta Setalvad is doing okay while in custody of the Ahmedabad Crime Branch. Her husband Javed Anand is allowed to meet her once a day.

"I met her just before they took her for the mandatory medical check-up. She appeared fine," said Anand. "I am allowed to meet her once a day. She has no complaints about the food and is also sleeping okay. When I meet her, it is in a room with a table and chair, with police personnel nearby," he added.

CJP stands in solidarity with the human rights defenders targeted by a vindictive state. A healthy democracy needs voices of dissent. We also need human rights defenders and social activists to work tirelessly to uphold our shared values of equality, peace and justice. Join CJP now!

Readers would recall that on June 25, just before a unit of the Gujarat Anti Terrorism Squad (ATS) whisked her away to Ahmedabad, Teesta Setalvad had submitted a handwritten complaint against two police officials for barging into her home and physically assaulting her when she demanded to speak to her lawyer. In her complaint, the 60-year-old human rights defender who is also the secretary of Citizens for Justice and Peace (CJP) had mentioned that she had sustained a bruise on her hand due to the assault and feared for her life.

After Anand met her, Setalvad's lawyers were also allowed to meet her.

This should bring some relief to activists and journalists who have been worried about Setalvad, who is clearly being targeted via a retributive prosecution enabled by observations of the Supreme Court in the judgment where the court dismissed the petition by Zakia Jafri. CJP, through Setalvad was the second petitioner in the case where an appeal was made for a thorough investigation into the role of people in positions of power at the time of the 2002 Gujarat post-Godhra carnage in allowing the violence to continue unabated, via acts of omission and commission.

28, Jun 2022 | **CJP Team**

- <https://cjp.org.in/press-release-teesta-doing-okay-so-far-in-police-custody-javed-anand/>
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PRESS RELEASE: Teesta Setalvad roughed up as Gujarat ATS personnel barge into her home

The human rights defender fears for her life as she is taken to Ahmedabad, ostensibly to the Crime Branch where a complaint of forgery is lodged against her

On Saturday afternoon, a unit of the Gujarat Anti Terrorism Squad (ATS) barged into the ancestral bungalow of human rights defender and secretary of Citizens for Justice and Peace (CJP), Teesta Setalvad. The ATS personnel detained her on trumped up charges, that appear to have materialised just a day after the Supreme Court's judgment in the Zakia Jafri case.

Setalvad says she was roughed up as she was picked up from her Mumbai home and taken to the Santacruz police station, where she was placed under arrest, and at the time of publishing this press release, was being taken to the Ahmedabad Crime Branch by road.

At about 5:30 P.M, just before being whisked away to Ahmedabad, Setalvad filed a hand written complaint with the Santacruz Police Station saying Police Inspector JH Patel of the ATS Ahmedabad and a lady officer in civil clothes came into her bedroom and assaulted her when she demanded to speak to her lawyer. Setalvad says that she was not shown the First Information Report (FIR) or a warrant till her lawyer arrived.

In her complaint, Setalvad has also stated that the assault left her with a bruise on her left hand, and that she feared for her life.

A copy of her complaint may be read here:

[Not reproduced here]

On Friday, the Supreme Court had dismissed a plea by Zakia Jafri, the widow of slain Congress Member of Parliament (MP) Ehsan Jafri. Ehsan Jafri had been killed during the communal violence in Gulberg Society during the 2002 Gujarat carnage. In its judgment the court had observed, "As a matter of fact, all those involved in such abuse of process, need to be in the dock and proceeded with in accordance with law."

The above extract was also quoted in a complaint filed on behalf of the State by Darshansinh B Barad, Police Inspector, Detection of Crime Branch, Ahmedabad City. In the complaint dated June 25, 2022, Barad asks for an FIR to be registered against Setalvad, former Gujarat Director General of Police (DGP) R.B Sreekumar and former IPS officer Sanjiv Bhatt under the following sections of the Indian Penal Code (IPC):

194 (Giving or fabricating false evidence with intent to procure conviction of capital offence)

211 (False charge of offence made with intent to injure)

218 (Public servant framing incorrect record or writing with intent to save person from punishment or property from forfeiture)

468 (Forgery for purpose of cheating)

471 (Using as genuine a forged document or electronic record)

Read with 120 B (Criminal Conspiracy)

The State's complaint says that Setalvad, Sreekumar and Bhatt conspired to malign the reputation of senior Gujarat government officials as well as the Special investigation Team (SIT) formed to investigate into the communal violence of 2002. The trumped up charges against Setalvad include conspiracy to fabricate facts and documents, tutor witnesses and bring about a malicious prosecution against the alleged perpetrators of the conspiracy behind the 2002 Gujarat communal violence.

It is noteworthy that even when the Special Leave Petition (SLP) filed by Zakia Jafri, where CJP Secretary Teesta Setalvad is the second petitioner, was being heard by the Supreme Court in December 2021, an elaborate smear campaign was launched against Teesta Setalvad where several past allegations were also dug up again. Details may be read [here](#).

As far as the allegation of "tutoring witnesses" goes, it is noteworthy that the Sardarpura judgment actually set the record straight in the matter. In its order, the court held, "The witnesses have specifically denied that, Teesta Setalvad has told them as to what evidence was to be given in a case. Considering the evidence and fact in this regard when we consider this fact mere discussion about the case would not necessarily indicate tutoring." The court elaborated, "It is not an accepted proposition that, the witnesses are never to be contacted by any one or spoken to about the matter regarding which they are to depose. A number of things can be told to the witnesses such as not to be nervous, carefully listen to the question put to them, state the facts before the Court without fear, therefore it does not appear any objectionable morally or legally." Most importantly, the court clarified, "Tutoring a witness is quite different from guiding him as to his behaviour. In the present case, the injured witnesses were in such a state of mind that without the active support of someone they might not have come before the court to give evidence at all. The encouragement and the advice if provided by Citizen for Peace and Justice that cannot be considered as tutoring and simply because of that, we cannot infer that the witnesses are tutored."

When it comes to the case of "Embezzlement", Teesta Setalvad was accused along with her partner Javed Anand in yet another baseless case. While Setalvad is an internationally recognised human rights defender, journalist and educationist, her partner Javed Anand is a journalist and human rights defender himself, was drawn into this maelstrom in 2015, shortly after a new government came to power at the Centre, and the vendetta intensified. Anand is an office bearer of CJP, a co-founder of Sabrang and Indian Muslims for Secular Democracy.

Here's a summary of the submissions by Setalvad and Anand before several hearings of the Supreme Court in 2015. They had pointed out how every transaction was official and not out of turn:

1. The transfers to personal accounts were sanctioned for the payment of travel and other expenses of lawyers.
2. The transfers towards Sabrang Communications were sanctioned expenses towards shared expenses. Since its inception, CJP has never incurred any rental expenses being located at the family residence of the Setalvads in Mumbai.
3. All audit reports of both trusts were duly filed with the Charity Commissioner.
4. Both Setalvad and Anand had submitted over 30,000 pages in voucher copies of accounts to the Investigating Officer (IO).
5. Since its inception, CJP has been offering legal aid to survivors of mass crimes and other rights denials.
6. The Gulberg memorial managed to raise just Rs 4 lakhs, an amount that is untouched to date.

Moreover, not a single donor has ever made any complaints about either trust.

The First Information Report (FIR) or police complaint in this so-called embezzlement case has been countered by hundreds of witness survivors who have stood by Teesta Setalvad and CJP. The FIR of January 2014 has not yet resulted in a chargesheet despite the passage of over four years and despite the submission of over 20,500 pages of accounts and vouchers to the Crime Branch. In the interest of due disclosure and transparency, Teesta Setalvad, CJP and Sabrang had their accounts re-audited and examined by prestigious auditors who have denied any embezzlement.

Therefore, Setalvad is being targeted today as part of an elaborate witch hunt. In fact, many international publications have also vouched for this in their reports including those by [New York Times](#), [BBC](#) as also organisations like [Frontline Defenders](#). That aside, even courts of law have from time to time found no merit in allegations of Setalvad 'tutoring' any witnesses in the cases and have even granted reliefs in the cases she was hounded by which included false allegations of embezzlement of funds.

We sincerely urge friends of CJP, civil society, activists and journalists to come together to demand justice for Teesta Setalvad.

25, Jun 2022

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