

India: NewsClick founder's arrest invalid, Supreme Court orders immediate release

Thursday 16 May 2024, by [KUMAR Vivek](#) (Date first published: 15 May 2024).

The Supreme Court bench comprising Justices BR Gavai and Sandeep Mehta said the Remand copy was not provided and this vitiated Prabir Purkayastha's arrest and the arrest was 'VOID'.

NewsClick founder Prabir Purkayastha by Delhi Police last year (File photo).
NewsClick founder Prabir Purkayastha. (File photo)

New Delhi,

In Short

- Prabir Purkayastha was arrested under stringent UAPA
- Top court says arrest by Delhi Police wasn't correct
- Court orders Purkayastha's immediate release on bail

The Supreme Court on Wednesday ordered the release of NewsClick Editor Prabir Purkayastha after hearing his plea, challenging the arrest by Delhi Police in a Unlawful Activities Prevention Act (UAPA) case.

A bench of Justices BR Gavai and Sandeep Mehta said the Remand copy was not provided and this vitiated the arrest and the arrest was thus held as 'VOID'.

The court said that the release would be done on the basis of satisfaction of the trial court on furnishing of bail bonds.

The top court invalidated the arrest and remand of Purkayastha, who was arrested by the Delhi Police last year under UAPA.

The Supreme Court ordered his immediate release on bail since the chargesheet in the case has been filed.

The trial court stands to impose bail surety conditions, the top court added.

The top court's order came two weeks after it asked Delhi Police as to why it did not inform Purkayastha's lawyer before doing so, pulling it up for its "hot haste" in producing the NewsClick editor before the magistrate.

The Supreme Court bench asked, "Why didn't you inform his lawyer in advance? You arrested him the previous day in the evening. You had an entire day to inform him. What was the hot haste to produce him at 6 am?"

The bench expressed amazement over the fact that Purkayastha's remand order was delivered

before his lawyer could be brought on board.

The court also questioned the probe agency's conduct while the arrest was made. It further said that "justice shouldn't only be done but seemed to have been done'.

The Delhi Police Special Cell in its chargesheet against Prabir Purkayastha had alleged evidence of involvement in terrorist acts, unlawful activities, raising funds for terrorist activities, and conspiracy.

The NewsClick editor was also accused of conspiring with Neville Roy Singham and others to criticise the Indian government's efforts to contain the spread of Covid-19 and publishing articles against vaccines manufactured by Indian pharmaceutical companies.

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P.S.

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