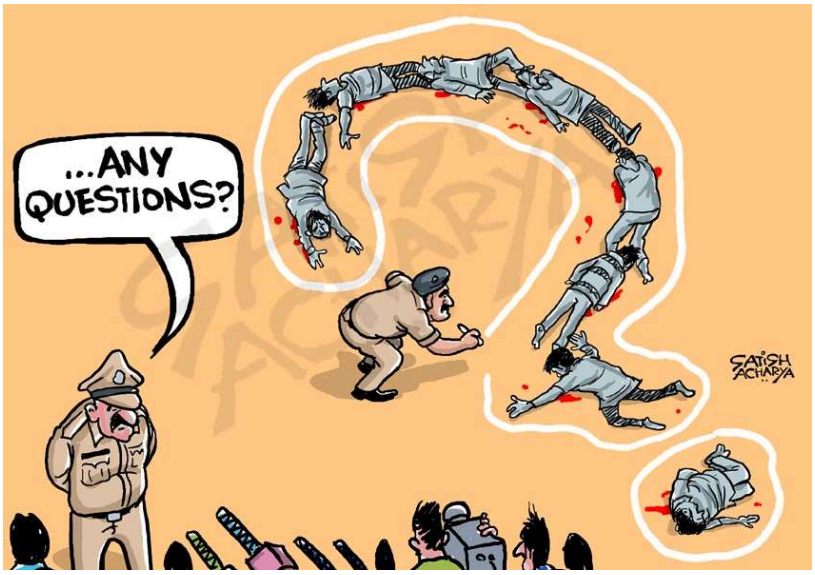
Encounter killings in BJP ruled states

What does the law of the land stipulate? If anyone is accused of a crime, he or she should first be taken into custody, trialled in the court following laid down judicial procedure and then if pronounced guilty, to be meted out punishment as per jurisdictive verdict. But the ruling bourgeois parties particularly the BJP have found out a short cut of sentencing as well as executing death penalty. No arrest, no court, no trial. Simply take the accused to a solitary place and shot him dead. And then circulate a story that the guilty tried to escape or fire at the policemen by snatching their service revolvers. There is no enquiry to such extra-judicial killings, no police personnel is held for such assassination. Lawmakers become law breakers with elan.



The BJP government has turned such killings to a commonplace in Jammu and Kashmir. Emboldened by the black Unlawful Activities (Prevention) Act (UAPA) which grants amnesty to trigger-happy police or security force personnel, it has killed hundreds of Kashmiris mostly youths falsely charging them of sedition, terrorism or treason. Proliferation of such grim harvest of life through secreting violence is adding further dimension to the question of safety of life of the valley people. Worried and anxious, threatened and rattled, shaken and perturbed, the people are desperately looking for a way-out of this threatening situation. During Gujarat pogrom in 2002 and afterwards, many encounter killings were reported. Most notable were killings of Sohrabuddin Sheikh, Ishrat Jahan, Tulsi Prajapati and 16 others which refer to controversial police shootings that led to long-running criminal investigations, high-profile arrests, and ongoing legal proceedings. In Uttar Pradesh, encounter deaths have become commonplace. Over the last nine years of the Yogi Adityanath-led government, the state police have carried out 17,043 encounter operations, resulting in 289 deaths. The government defends the policy as a "zero-tolerance" approach necessary to maintain law and order and break the nexus of organized crime in Uttar Pradesh. But many retired police officials, human rights advocates, well-meaning intellectuals and common people have severely criticized the policy, rightly arguing that extrajudicial killings undermine the constitutional criminal justice system, promote a culture of impunity, and lead to vigilante acceptance of violence. Petitions have also been moved in the Supreme Court seeking independent probes into these operations. Recalling an incident in a Ghaziabad village, a retired high-ranking police officer said, *"The mother of a victim demanded that the accused's body be shown to the family after his encounter killing. Encounter actions are barbaric medieval practices. Instant justice through encounters*

is an extrajudicial killing—a black chapter for society. Through such actions, we are making the whole society barbaric, adversely affecting the growth of the democratic system." (The Hindu, 07-06-26)

Only 6 months have rolled by since the BJP has been saddled to power in West Bengal. In this short period the new government, like all its counterparts in different states all over India, has left its mark as devastatingly anti-people by spine chilling encounter killings.

The chief minister of West Bengal just after coming to power said unhesitatingly his idea of remitting justice –"will collect in the morning and dispose of by the evening". Following this fiat, on 8 July last, in Baruipur of South 24 Parganas district, police neatly orchestrated an encounter killing of one accused of rape and murder. At around 12:45 AM on 8 July 2026, police took the accused to the crime spot for reportedly reconstruction of the crime scene. The spot was knee-dip with mud. According to the version of the police, the hand-cuffed accused snatched a service firearm from an officer, fired a round at them, and tried to escape. Police fired back in self-defence, and he fell back to the bullet. Mark the selection of space and time. At eerie hours of night in a rain-soaked muddy land. And then snatching firearm in a hand-cuffed position and shooting at the police. A very childish script indeed! On 27 October last, the police perpetrated two encounter killings in North 24 Parganas and Murshidabad districts. The one killed in North 24 Parganas was a man stated to be involved in rape and murder of a teen aged girl while the other in Murshidabad was accused of murdering a BJP worker.

Questions are again being raised about the motive of these encounters. Why is the government bypassing the court of law? The BJP governments argue that such encounters would frighten the wrongdoers and bring down the crime rate. Is that true? At least not in terms of facts.

Besides in UP, Chhattisgarh recorded 191 encounter killings between January 2017 and January 2022. Assam ranked third with 50 encounter killings reported between 2017 and 2022 central data. If the claim of the government were true, then how could total crimes in UP rose in 2022 and 2023? As per NCRB reports, total crime in 2022 in UP had been as high as 4,01,787. In 2023 it went up to 4,28,794. In 2024 the record had been a staggering 430552. In fact, in every state having "double engine" governments, the crime rate is soaring.

One may be a criminal. But he has constitutional right to defend himself. Such encounters are against the constitutional guarantee of the right to a fair trial by an independent court and the presumption of innocence. Through such operations, the state is claiming to have normalized violence. But actually, it is creating a climate of vigilantism where extrajudicial killings as a satisfaction for base desires of vengeance are sanctified. This is glaringly violative of the right to life and security. 77 years back, the authors of Indian constitution had cautioned the state institutions and Indian society of the same evil of popular morality of instant justice, arguing constitutional morality must be defended through the rule of law. But then ruling monopolists and their servitor BJP governments do not consider themselves as law-abiding entities but as licensed to kill with impunity. What should we call this—civilization, democracy or a deep, abyss-like dungeon where sins of the strong, of those who spew needless evil, poison the air, put out lights, take their course, without recourse as words of justice remain mute.