



SAMBHAL

ANATOMY OF AN ENGINEERED CRISIS

Myth, Violence, and the Weaponization of Faith in a Muslim-majority City



Association for
Protection of
Civil Rights

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FOREWORD: WILL SAMBHAL BECOME THE NEW AYODHYA?

This report, aptly titled “Sambhal: Anatomy of an Engineered Crisis,” is an outstanding and intensely disturbing documentation of how the state administration in Uttar Pradesh has deliberately ignited a potentially explosive dispute that could tear asunder not just the medieval town of Sambhal but the entire country.

The fires in the Muslim-majority town of West Uttar Pradesh, Sambhal, were first lit by a court-ordered survey of the Shahi Jama Masjid mosque. The stated purpose of the survey was to ascertain if the mosque erected during the reign of the first Mughal emperor, Babar, was built after demolishing a temple. Many months later, as this important report describes, the Muslim citizens of the town are confused, frightened, and angry. The state officials are doing nothing to assuage their fears. Instead, the state administration is unleashing a battery of measures that are nakedly hostile to its Muslim citizens. The chief minister, Adityanath, further stokes the embers with a series of coarse and openly communal declarations.

I worry that the goal of the RSS and the belligerent Uttar Pradesh chief minister is to rapidly elevate this mostly forgotten mosque into another Babri Masjid. Go back to the winter of 1949. On the watch of the district magistrate of Faizabad, KKK Nayar, Hindu idols “mysteriously” appeared in the Babri Masjid. The district magistrate defied orders of his superiors and reportedly even the prime minister, Nehru, when he refused to remove the idols. Through his refusal, he prised open the flood-gates for the Babri Masjid-Ayodhya dispute that went on to tear apart the social fabric, take thousands of lives, pave the pathway for the triumphal rise of the BJP, and alter for a generation and longer the course of the Indian republic.

It is perceptible that history may prove this to become a similar moment in Sambhal. We are witnessing attempts to fast-track the manufacture of what until recently was the barely remembered Sambhal Shahi Jama Masjid into the country’s next Babri Masjid.

In Ayodhya, the claim was that Lord Rama was born under the central dome of the Babri Masjid. In Sambha, the myth is even more audacious and extravagant. A temple had stood at the site of the Shahi Jama Masjid in Sambha, dedicated to Kalki, the tenth incarnation of Lord Vishnu. Kalki will return to earth at Sambhal to end Kalyug, the dark contemporary age of conflict and sin, and bring back Satyug, the luminous ancient age of humanity, truth, and goodness.¹

Not many observers read the early signs: we were not alert to what lay ahead when Adityanath, an array of local religious leaders and politicians, and RSS publications began speaking of Sambhal as a site of immense religious significance to Hindus. Nine months before the court-ordered survey of the mosque, Prime Minister Narendra Modi laid in Sambhal the foundation stone of a temple dedicated to Kalki, performing a puja with Chief Minister Adityanath by his side. Modi said that the temple would emerge as a major centre of the Hindu faith.²

But matters moved at breakneck speed since November 19 last winter. It was apparent that everything was pre-planned that day. When a clutch of petitioners filed for permission in the local court to survey the Shahi Jama Masjid in Sambhal, in the normal course, the court would have first issued notice to all the parties to the dispute. But mysteriously, all the officials were already in the court on the morning of November 19. Absent was only the management committee of the mosque, because they had not been informed or called to the court. The suit was filed just after noon. At 1 pm, the magistrate heard the matter. The secretary of the Archaeological Survey of India (ASI), the district magistrate, and the sub-divisional magistrate were present in court. The court gave short shrift to the legal requirement of hearing the mosque management, and passed orders the same afternoon at 3 pm for the survey of the mosque. Obtaining a certified copy of the court's order took another hour. The survey began at 6 pm that same evening. The two most senior civil servants in the district, the district magistrate and superintendent of police, joined the team that peremptorily entered

1 Shahid Tantray and Sunil Kashyap, "Surveyors of Destruction," *The Caravan*, January 1, 2025, <https://caravanmagazine.in/crime/surveyors-of-destruction>.

2 Meer Faisal, "'It Won't End Well for You,' Sambhal Families Claim Police Threatened Them to Change Complaint," *The Observer Post*, November 27, 2024, <https://theobserverpost.com/it-wont-end-well-for-you-sambhal-families-claim-police-threatened-them-to-change-complaint/>

the mosque for the survey.

For a matter that was potentially so incendiary, the correct course for the district magistrate and superintendent of police would have been to first take the leaders of the local Muslim community and mosque management committee into confidence, to allay their fears that the structure of the mosque would be damaged. But they did nothing of this kind. Instead they returned early one morning, a few days later, on November 24, to continue the survey. This time, the crowds accompanied the survey committee, raising lusty slogans of Jai Shri Ram.

Rumours flew thick and fast that the officers might begin to excavate under the mosque. The rumours were fuelled further when the tank was emptied, in which water is stored for the ritual *wuzu* or washing of specific body parts before prayer, and water flowed down the slope of the small mound on which the mosque is built. This seemed to confirm to the residents that excavation inside the mosque was imminent. An anxious and agitated crowd gathered and swelled around the mosque. Instead of making any attempt to reassure the crowd, a lathi charge ensued. People from the crowd, meanwhile, had begun to pelt stones at the police contingent.

What happened next is radically disputed. The police stoutly denied firing on the crowd, but then videos surfaced of the police actually firing at the mobs. Their claims changed from time to time. They had only fired in the air. They had only resorted to rubber bullets. And oddly, that they had only deployed pellet guns (because pellet guns are banned). The n where did the bullets come from that took five lives?

The police version is that political factions from within the Muslim community fired at each other, resulting in the deaths. It requires a great deal of credulity to believe this official version that factions chose to use what was a spontaneous gathering of people in which thousands of men pressed against each other to fire at one another, endangering many lives.

Most victim families reported to me in my visit to the town that the police handed over the bodies of their loved ones only on the condition that they signed blank papers, and supported the version that it was the mob itself that both pelted stones and fired at each other, and that the

police was blameless. It was only Salman, the brother of Bilal, who had the courage to challenge the official version. In his original statement to the Magistrate, he testified that it was the policemen who fired into the crowd, while the crowd was pelting stones at the police. His brother, he insisted, had died from police bullets. But he told us that the police immediately coerced him to sign blank documents as well as a statement that claimed that the police did not fire at the crowd. However, he persisted and recorded a statement before the local magistrate that it was the police who indeed fired at the mob. He described this in detail to a reporter of *the Observer Post*. Bilal was still alive when his brother Salman reached the hospital. “When I got there, my brother could barely speak. He whispered to me that the police shot him during the chaos. He said the police were shooting at anyone in sight, and one of those bullets hit him.”³

Zafar Ali, the chairperson of the mosque committee, told reporters in a press conference that he personally saw the police firing at the agitating crowd. “It happened right in front of me. There was no bullet fired from the public in my presence.” He added, “Why would (the protestors) kill each other? If they had to fire, they would have fired at the police and not the public.”

But even if the police chose to fire at the protestors, it was clearly an excessive use of force. It is alleged that when the agitated crowd gathered around the mosque, instead of placating the crowd and explaining the official action to them, the were abusive. Videos are circulating of the police officer Anuj Chaudhari abusing Muslims as *jaahil*. You also see him in another video walking the streets in uniform with Hanuman’s *gadha* on his shoulder. Police firing should be ordered only as a last resort, after every other attempt to disperse the crowd fails. And firing should aim not to kill but to disperse the crowd, by aiming not at people’s chests but at their feet.

The findings of this excellent report establish beyond doubt that the street confrontation between Muslim residents of Sambhal and the police that resulted in the death of five men was entirely manufactured

3 Meer Faisal, “‘It Won’t End Well for You,’ Sambhal Families Claim Police Threatened Them to Change Complaint,” *The Observer Post*, November 27, 2024, <https://theobserverpost.com/it-wont-end-well-for-you-sambhal-families-claim-police-threatened-them-to-change-complaint/>

by the police, the courts, and the state administration. It was the outcome of unusually hurried court orders and executive actions of surveying the mosque, without attempting to take the community leaders into confidence, without allaying their fears, and instead taking recourse to excessive force against the protestors.

It did not end there. Even at this stage, it was possible for the senior officials of the district to retrieve the situation. They needed to assuage the local Muslims, reassure them that the mosque was safe, and express sympathies with the families of the men who were killed in the protest. They did none of this.

The Supreme Court stayed further actions to survey the mosque. But the district administration instead resorted to many public campaigns that openly targeted the local Muslims. It abruptly began campaigns to counter electricity theft and encroachments in Muslim-majority settlements. It stirred a sense of grievance among Hindus by suddenly “discovering” Hindu temples in Muslim areas, with the suggestion that Muslims tried to erase sites of Hindu worship. The chief minister stirred memories of a riot 46 years earlier, grossly exaggerating the death count. A high fine of two lakh rupees was slapped for a loudspeaker atop a mosque. Since then, no calls of the *azaan* have been made over loudspeakers in any mosque in Sambhal. And just outside the entrance of the Shahi Jama Masjid, a large police outpost was built with amazing speed in just a matter of weeks. Particularly around the mosque, alleged encroachments were demolished.

Early during the drives against electricity theft and encroachment, the sub-divisional magistrate claimed to have “discovered” a temple. The temple was cleaned up and quickly opened for worship. The district magistrate and superintendent of police worshipped at the temple, spurring a string of Hindu worshippers to visit the temple to the sound of conch bells. The administration made the claim that the temple had deliberately been pushed into disrepair after Hindu families had migrated out of the area after riots in 1978, by the Muslim residents. A priest who commenced prayers at the temple, Shashikant Shukla, told reporters that the situation of Hindus in Sambhal in 1978 was worse than in Bangladesh today. He said the temple was dedicated to the deity Kartikeya and that the water in its well had healing

properties. He claimed further that when the district magistrate and circle officer cleaned the temple, the idol “bore a very different smile, which disappeared a few moments later.” He said that people from across the state had begun coming to the temple because it appeared in their dreams.⁴

The local Muslims denied vociferously that they had wilfully allowed this or any other temples in the town to fall into disrepair. Salman Khan, a local resident, vigorously contested the official narrative. “In forty-six years, buildings fall apart and are in utter disrepair,” he told reporters. “The mandir has been maintained. Would it have been in this state if it had been abandoned?”⁵

Then began the “discovery” of a deluge of other temples, all in Muslim majority neighbourhoods. In Sambhal itself, barely four weeks after the firing, a four-member team of the Archaeological Survey of India surveyed as many as 24 Hindu sites in Sambhal, and even announced resort to carbon-dating to determine the age of the temples. Claims are now being made that 56 Hindu temples and 19 sacred wells in and around Sambhal have been rendered inaccessible to Hindus. “They are digging up new temples every day,” a local lawyer told reporters. “We are worried that, one day, they will come to our home and dig one up here as well.”⁶

The Uttar Pradesh chief minister, Adityanath, lost no opportunity to further stoke the communal fires. He declared that the Hindu slogans of *Jai Shri Ram* could not be called communal or provocative; after all, they were only raised in praise of the lord Ram. He claimed after the drive against electricity theft that Muslim places of worship were being used as “mini power stations.”⁷ He declared after the “discovery” of the temple in the vicinity of Shahi Jama Masjid in Sambhal that it was the criminal failure of earlier governments that the devils who slaughtered people in the riots of 1978 remained unpunished. He was even more belligerent in the state assembly. He spoke of 168 unpunished deaths in the communal riots of 1978. It is hard to ascertain how he arrived at this figure, which is more than ten times higher than the official toll.

4 Tantray and Kashyap, “Surveyors of Destruction.”

5 Tantray and Kashyap, “Surveyors of Destruction.”

6 Tantray and Kashyap, “Surveyors of Destruction.”

7 Tantray and Kashyap, “Surveyors of Destruction.”

He called upon Muslims to quietly abandon any mosque if the claim is made that it was raised at the site of a temple⁸. He argued puzzlingly that Muslims are free to pray anywhere, so they do not need mosques. It is only the Sanathani Hindu who needs to pray in temples. So Muslims should remit to them all mosques which they claim were built by demolishing temples.

He said every temple that was demolished to build a mosque was a wound on the Hindu psyche.

Meanwhile, Sambhal continues to smoulder dangerously.

One thing is evident from this report. This combat that tore into the medieval town of Sambhal is not between its Muslim and Hindu residents. There was not a single act of communal violence between Muslims and Hindus in this Muslim-majority town. The Hindus, by and large, had stood with their Muslim neighbours in their time of trial. The conflict instead is indisputably between the state administration and the Muslims of Sambhal.

By Harsh Mander⁹

8 “UP CM Yogi Adityanath Speaks on Sambhal in Assembly Winter Session,” *Zee News Hindi*, January 2025, <https://zeenews.india.com/hindi/india/up-uttarakhand/up-politics/up-cm-yogi-adityanath-speaks-on-sambhal-in-assembly-winter-session/2560682>.

9 Portions of this preface appeared in Mr Mander’s article for *Scroll.in* <https://scroll.in/article/1078615/harsh-mander-will-sambhal-become-the-new-ayodhya>

EXECUTIVE SUMMARY

Before the Survey: Sambhal's History

Sambhal, a town in Uttar Pradesh, has long been a center of religious and cultural confluence. Historically significant for its large Muslim population, Sambhal has been deeply embedded in India's medieval Islamic architecture, notably as home to the Shahi Jama Masjid—one of the oldest surviving Mughal-era mosques. The city is also mythologized in Hindu belief as the future birthplace of Lord Kalki, the prophesied tenth avatar of Vishnu. This theological narrative, particularly the association with the Hari Har Temple, has been increasingly mobilized by Hindutva forces, reshaping Sambhal into a contested site of religious symbolism and sectarian memory. Despite past communal flare-ups (notably in 1976, 1978, and 1992), the town had maintained relative calm until recent developments reignited historical and religious disputes with drastic consequences.

After the Survey

The communal atmosphere in Sambhal deteriorated sharply following a civil court order on November 19, 2024, mandating a survey of the Shahi Jama Masjid. The order, passed without hearing the mosque's representatives, allowed the survey to proceed within hours. Suspicion and unease spread among the Muslim residents, intensified by the lack of standard precautionary protocols, such as notifying the Peace Committee or following basic communication norms. The second survey on November 24, conducted under visibly partisan circumstances (including the presence of a slogan-chanting mob), was especially incendiary. Actions such as the draining of the mosque's ablution tank were interpreted as symbolic desecration. This second survey, executed without a fresh court order, was seen as a provocation and triggered large-scale protests.

After the Violence

The events of November 24 quickly spiraled into violence. Police responded to the crowd of protesting Muslims with lathi charges, tear gas, and gunfire. Five Muslim men—some under 18—were killed, dozens injured, and over 85 were arrested. Eyewitness testimonies and videos contradict the official narrative that the crowd was violent; rather, they depict excessive force by the police, including unlawful entries into homes, destruction of property, and beatings. Postmortem reports were withheld, and legal representation for detainees was hampered. In the weeks following, the police conducted house-to-house raids in Muslim neighborhoods, filed dubious FIRs, and targeted political figures and activists. These actions occurred amidst broader state-led crackdowns on alleged “encroachments,” electricity theft, and illegal construction—, almost exclusively in Muslim-majority areas.

Continuing Trauma and Myth-Making of Sambhal

What unfolded in Sambhal has not ended with the violence. It continues through a systematic project of mythologizing the city as the sacred birthplace of Kalki, while painting the Muslim population as historical usurpers. The narrative of temple destruction and forced occupation has been reinforced with state support: new police outposts were inaugurated using stones from the protest site; Hindu rituals were performed at law enforcement buildings; and religious tourism initiatives centered around Kalki mythology were launched. Surveillance, intimidation, and administrative harassment persist. Victim families are under constant watch, public posters criminalizing protestors have been displayed, and routine government functions—like checking electricity or property records—have become tools of coercion.

The community continues to live in fear, distrustful of both the legal process and local governance. Many see parallels to the events preceding the demolition of Babri Masjid. Had standard protocols of crowd control, peace committee engagement, and neutral administrative behavior been followed, the escalation could likely have been avoided. Several former police officers acknowledge this mismanagement¹⁰. The

10 <https://theprint.in/past-forward/sambhal-a-history-of-violence/2395983/>

Sambhal episode is a stark illustration of how myth, administrative complicity, and communal polarization can converge to suppress minority rights and rewrite historical memory through force and fear.

METHODOLOGY

The methodology comprises primary research (i.e., group interviews, semi-structured interviews¹¹, narrative data¹² collected from testimonies, official documents including copies of notices, FIRs, and letters) and secondary research (news articles, testimonies derived from therein). The data collection was done using primarily qualitative research methods, while the analysis and setting out of the larger context included mixed research methods, i.e., qualitative and quantitative.

The inclusion of secondary research data has ensured the inclusion of perspectives of involved persons who were otherwise difficult to reach out to in person. It has also ensured that the findings are contextualized based on an exhaustive foundation of evidence and perspectives, which is crucial, given that the aftermath of the incident and the tensions in Sambhal are still developing and ongoing.

The fact-finding team documented the accounts of various persons involved in the incident, its different stages, and its aftermath, and recorded their testimonies, most of which have been anonymized for privacy, although those names have already appeared in media reports and notices/FIR copies.

11 Matthews, Bob and Liz Ross. "Chapter C5: Focus groups." *Research Methods: A Practical Guide for the Social Sciences*. Pearson Education Limited. Essex, England. (2010): pp. 218-233.

12 Ibid, 264-275.

INTRODUCTION

A report on Sambhal at this day and time is perhaps as challenging as it is necessary. How does one begin to write of violations that have not stopped, but instead compounded, and of how an unsuspecting city was to become the epicentre of mythmaking and example-setting? Example-setting here being: the treatment and constant transgressions against the microcosm of a community are made symbolic of the future of that community at large, should they choose to speak up for their own rights.

The word “*community*” is used in this report deliberately, instead of directly naming “*Muslims*”. This is to show that while Muslims were the targets in Sambhal, what happened could happen to any group that challenges power or speaks up for justice. The events in Sambhal are not isolated—they are part of a wider pattern that is weakening the foundations of India’s secular and inclusive society.

This report is not just about a mosque or a protest. It’s about fear being created on purpose, twisted versions of history being used as a tool to divide, and people being pushed into silence. The aim here is not only to describe what happened, but also to reflect on what it means for our society going forward.

Sambhal is a warning. This report hopes to record that warning clearly, before it becomes the new normal.

HISTORY OF SAMBHAL AND SURVEYS OF SHAHI JAMA MASJID

Sambhal is emerging as a new communal city and a new mosque dispute in the western belt of Uttar Pradesh. However, this is not the first time such is the case in the district. It was this mosque that put Sambhal on the map as a communally sensitive city on the map in the winter of 1976. Today, it is again the winter of 2024 and now the summer of 2025, overseeing the unrest.

Sambhal, in many ways, is a Muslim stronghold. It is Muslim by face and by fabric. With 77.67% of Muslims, it has a Muslim majority, has lately emerged as a Muslim seat for both MPs and MLAs, and an assertive Muslim public. The assertiveness has been making itself known for a while now. It was one of the cities that sported a bustling anti-CAA agitation to the extent that internet facilities in the city were shut down on 17 December 2019 till midnight, and protestors were given notices, one of the cities whose representatives have been visibly Muslim and vocal of Muslim concerns in their Houses. MP Shafeequr Rahman sported a beard, held both unconventional and firm opinions about his religion, and did not hesitate to speak about them. What else crops up here is the fact that Sambhal, however, in times before Qutub-ud-din-Aibak came to India, was a Hindu city, both by population and culture. The scriptures tell the legend that it will be the birthplace of Kalki. Kalki, the tenth version of Vishnu, will be his final incarnation. Kalki is supposed to end Kaliyuga, a time in the dark, degenerating, and chaotic time, to usher in the next, Satya Yuga. As such, it holds importance for Hindus and is a major religious site.

Hindus believe Kalki will take birth in the Hari Har temple, and they believe that the original Hari Har temple was constructed in ancient times, and it was still standing when Babar came to India, won over India, and made Sambhal his first capital. They believe Babar had ordered the temple to be destroyed and in its place, a mosque to be made.

They have several suspicions about the current structure that stands

in Sambhal today, the Shahi Jama Masjid. They say that the dome has a chain and that when it was a temple, the chain had a bell at the end, they say that there was a glass in front of the mosque sporting the phrase of it being Hari Har temple, and they say that the inscription saying the structure to be a mosque built on the orders of Babar is a fabricated one. The mosque is also on the list of temples under Islamic occupation. These lists are often accompanied by demands that ASI should excavate to see if these mosques are mosques or were earlier temples. What sets this mosque dispute apart, however, is the additional context setting: Mahant Rishiraj Giri, priest of the Kela Devi Mandir and one of the eight petitioners of the Sambhal PIL claiming Shahi Jama Masjid to be a mosque, claims, “Sambhal is as important, if not more, than Ayodhya. Just like Ayodhya is where Ram was born, Sambhal is where Kalki will be born. And he cannot be born in a mosque... Sambhal’s history will only begin once the masjid is destroyed and the mandir is returned to its former glory”. The context, although rooted in religious scriptures, took form in 2007 when Pramod Krishnam, former Congress member and now, a self-styled religious “Guru” began celebrating a festival dedicated to Kalki in Sambhal. It took on as an annual event with attendants ranging from bureaucrats to politicians. The platform, built by Congress to counter the hard Hindutva of the BJP, later gained a life of its own. Post-2014, Krishnam emerged as a turncoat and was expelled from Congress. He had maintained contact with the Jain duo – the father, Hari Shankar Jain, and son, Vishnu Shankar Jain, have filed several petitions alleging mosques to be sites of destroyed temples. They are now parties in four cases of disputed worship places.

However, in spite of the claims over the Masjid and tensions arising from it, Sambhal had largely been a peaceful city. It had its first flare-up in 1976 after a maulana was murdered in the mosque, followed by communal violence in 1978 and in 1992. The official figures from both incidents, claiming Muslims destroyed two temples in the first and 22 Hindus died in the second, paint Sambhal as a city where Hindus were always the victims, thereby further strengthening it as a Muslim city unsafe for Hindus. However, the local administration seems busy disputing this – the peace. The district magistrate, superintendent of police, and local intelligence unit are involved in reconstructing history

and constructing Hindus as the victims. They are seeking individuals, especially Hindus, affected and displaced by the violence in the 1970s. Anyone who contradicts the administration's version of events is targeted by FIRs. The administration has compiled a detailed list of riots, including specific details, the number of Hindu and Muslim casualties, and the duration of curfews. Even minor interpersonal conflicts are recorded, regardless of whether they resulted in deaths or curfews.¹³

This Muslim city has lately been losing its character as a safe city for Muslims. Muslim voters were not allowed to cast votes in at least 4 Muslim majority villages of Sambhal during the 2024 Lok Sabha elections. On 7th May, CCTV footage and videos captured on the mobile emerged from Sambhal. The visuals depict personnel of police and forces not allowing Muslim voters to cast their vote in at least 4 Muslim majority villages of Sambhal during the Lok Sabha elections of 2024. They snatched Aadhaar cards and vote slips of Muslim voters, including women, then unleashed a lathicharge on the voters. Muslims were brutally assaulted. Women were attacked with batons on their thighs, knees, shoulders, hands, and eyes. A disabled Muslim man was also attacked. Many were attacked when they were returning after casting their votes. One Muslim man became deaf after the attack; he cannot earn a living anymore.

Muslim voters also faced repression during by polls in Kundarki in November 2024. And now, its mosque is under threat, Muslims have died, and the city seems to be under siege.

The History of the Sambhal Mosque

The Sambhal mosque is the oldest surviving Mughal mosque in India, a protected monument under the Archaeological Survey of India (ASI), and a monument of national importance. Its history is intertwined with that of Sambhal. It came into being when Sambhal was won over by Babar and made the first capital of the Mughals. Only two mosques built during Babur's reign survive today: the Jama Masjid

13 The Print. (January 12, 2025). Sambhal: A history of violence. Retrieved from <https://theprint.in/past-forward/sambhal-a-history-of-violence/2395983/>

in Sambhal and the Kabuli Bagh mosque in Panipat.¹⁴ It is a living myth that Babur constructed the oldest surviving Mughal-era mosque, Shahi Jama Masjid, after destroying a temple. The colonial accounts of Sambhal collectively deny the existence of any temple at the site of the mosque, with the singular exception of the British archaeologist ACL Carlyle, whose account has been rejected quite severely by his contemporaries.

The Hindutva outfits claim the mosque was earlier a temple, known and documented as the Hari Har Mandir or Hari Mandir. Shahi Jama Masjid joins the long queue of disputed mosques of India, which began with Babri and has included the mosques of Kashi and Mathura. These mosques are claimed to have been built after destroying or demolishing temples from the ruins of temples by Mughal rulers, primarily.

Current Claims

Hindu claims of a temple existing at the site stem from the belief that features of a temple can still be traced in the mosque building, including rubble from a temple used in its construction. These features include a chain hanging from the mosque's dome, which some believe once held a bell, columns resembling those of a temple, and a path for parikrama inside the mosque. These claims find sole substantiation in an 1874-76 ASI report by ACL Carlyle, titled *Tours in the Central Doab and Gorakhpur*. Rather than material evidence, it documented the belief of Hindus that the mosque was the Hari Mandir. Carlyle's report was severely criticized by his contemporaries, including the then-director general of ASI, Sir Alexander Cunningham.

Who Has Filed the Case?

Eight petitioners have filed the case in the Sambhal court, some of whom include advocate Hari Shankar Jain, (who is also involved in the Gyanvapi mosque-Kashi Vishwanath dispute along with his son Vishnu Shankar Jain); advocate Parth Yadav; and Mahant Rishiraj

14 Indian Express.(February 12, 2025). Story of 500-year-old Sambhal mosque: Histories, mythology, legal fights. Retrieved from <https://indianexpress.com/article/long-reads/story-500-year-old-sambhal-mosque-histories-mythology-legal-fights-9697297/>

Giri, the mahant of the Kalki Devi temple in Sambhal.¹⁵ Giri has claimed that he had wanted to file this petition in 1990, even before the suit for Babri was filed, as he considers it to be more important than any site. The Jain father and son duo have filed a total of 4 suits, all of which were disputes about mosques that were constructed by destroying temples.

What Does the Petition Say?

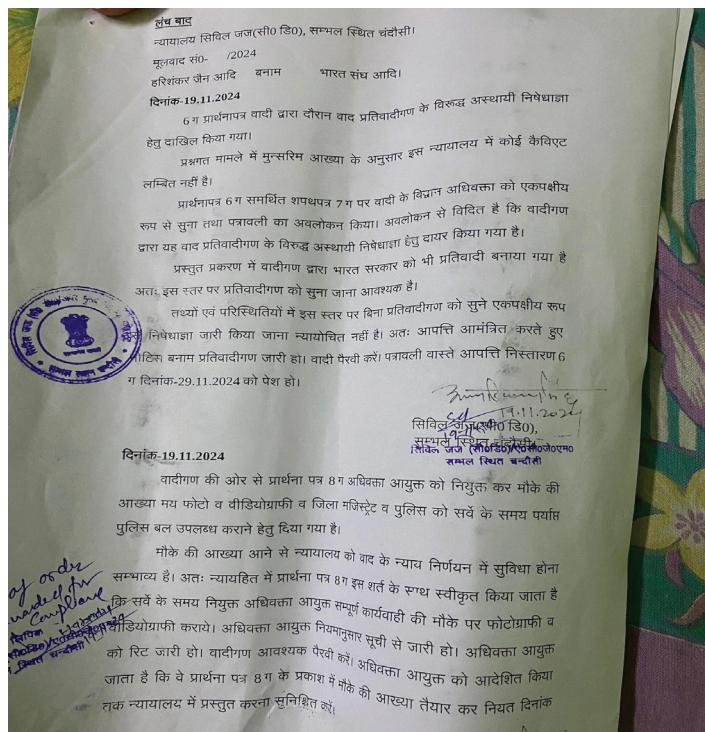
The petition claims there is a “centuries-old Shri Hari Har Temple dedicated to Lord Kalki in the heart of Sambhal, which is being used forcibly and unlawfully” by the Jama Masjid Committee. It states that Sambhal is a historical city with unique significance in Hindu scriptures, as it is believed to be the sacred site where Kalki, the tenth incarnation of Lord Vishnu, will manifest in the future. The petition asserts that “Kalki is believed to be the tenth and last incarnation of Lord Vishnu, destined to arrive in Kalyuga. His descent is believed to herald the end of the dark and tumultuous Kalyuga, ushering in the next age, known as Satyuga.” It also claims that “Hindu scriptures confirm that in ancient times, a unique ‘Vigrah’ consisting of Lord Vishnu and Lord Shiva emerged, and due to this reason, it is called ‘Shri Hari Har’ temple.” The petition alleges that Babur invaded India in 1526 AD and “destroyed several Hindu temples to show the might of Islam and make Hindus feel they were subjects of Islamic rulers.” It further claims that in 1527-28, Hindu Beg, a lieutenant of Babur’s army, partly demolished the Shri Hari Har temple in Sambhal, and Muslims occupied the temple building to use it as a mosque. These claims are an echo of the alternate historical narratives, constructed by the Hindutva outfits, about the construction of religious sites in Mughal India.

The petitioners argue that the monument is protected under the Ancient Monuments and Archaeological Sites and Remains Act, 1958, and that the public has the “right of access to protected monuments” under Section 18 of the Act and Rule 5 of the Ancient Monuments and

15 Indian Express. (February 12, 2025). UP Sambhal violence: what is the row around the Shahi Jama Masjid Retrieved from <https://indianexpress.com/article/explained/explained-law/sambhal-plea-shahi-jama-masjid-chandausi-9687602/>

Archaeological Sites and Remains Rules, 1959.¹⁶ The petition by Jain goes a step further than the living memory about the Masjid being the Hari Har Mandir of Hindus. In short, they claim that the mosque had always been a temple, that Muslims occupied it, and that Muslims even disallowed ASI from entering it, even though it is an ASI monument.

What Has the Muslim Side Said?



Copy of the Survey Order

Samajwadi Party MP from Sambhal, Ziaur Rehman Barq, reacted to the survey of the Jama Masjid, stating, “Outsiders have attempted to disrupt the communal harmony of the district by filing a petition of this nature in court. The Supreme Court has already stated that, according to the Worship Act of 1991, all religious places that existed in 1947 will remain in their current locations. Jama Masjid in Sambhal is a historic site where Muslims have been offering prayers for several

16 Indian Express. (February 12, 2025). UP Sambhal violence: what is the row around the Shahi Jama Masjid Retrieved from <https://indianexpress.com/article/explained/explained-law/sambhal-plea-shahi-jama-masjid-chandausi-9687602/>

centuries. We have the right to appeal to the high court if we do not receive a satisfactory order from the local court”.¹⁷

Since when have our courts become so efficient that action is ordered immediately after the filing of a petition? And what about the administration that deploys all its resources to execute the order immediately?

The mosque committee challenged the November 19, 2024, order by the Sambhal senior division civil judge, arguing that the plea was allowed without hearing their side on the same day it was filed. The committee cited a second survey that led to violence and loss of life as the reason for filing a special leave petition (SLP) under extraordinary circumstances. On November 29, the Supreme Court ordered the Sambhal trial court to halt proceedings in the case and directed the Uttar Pradesh government to maintain peace and harmony in the violence-hit town.¹⁸

17 Indian Express. (February 12, 2025). UP Sambhal violence: what is the row around the Shahi Jama Masjid Retrieved from <https://indianexpress.com/article/explained/explained-law/sambhal-plea-shahi-jama-masjid-chandausi-9687602/>

18 The New Indian Express. (2025, January 10). SC issues notice in Sambhal Shahi Jama Masjid well dispute, orders status quo. Retrieved from <https://www.newindianexpress.com/nation/2025/Jan/10/sc-issues-notice-in-sambhal-shahi-jama-masjid-well-dispute-orders-status-quo-2>

LEGALITY OF SURVEY ORDERS AND PLACES OF WORSHIP ACT 1991

The legality of survey orders in the context of the Places of Worship (Special Provisions) Act, 1991, is a sensitive and complex issue in India. The interplay between these two legal frameworks often arises in cases involving disputed religious sites or encroachments near places of worship.

The Places of Worship Act, 1991, was enacted to preserve the religious character of places of worship as they existed on August 15, 1947, and to prevent the conversion of any place of worship from one religious denomination to another. Violations of the Act can result in imprisonment and fines. The Act includes certain exceptions, such as the Ram Janmabhoomi-Babri Masjid dispute in Ayodhya (which was resolved by the Supreme Court in 2019) and ancient and historical monuments protected under the Ancient Monuments and Archaeological Sites and Remains Act, 1958.¹⁹

Survey orders are administrative or judicial directives to conduct surveys of land, properties, or boundaries. They are often issued to resolve disputes, establish ownership, or update land records. These orders are issued under laws such as the *Survey and Boundaries Act* or state-specific land revenue laws. They are legally enforceable and aim to maintain accurate land records. Surveys are sometimes ordered in cases involving disputed religious sites to determine boundaries, encroachments, or ownership claims.

The conflict between survey orders and the *Places of Worship Act* arises when survey orders for religious sites are passed to ascertain the religious character of that site. These orders can sometimes lead to disputes over the religious character of the site, especially if the survey results are perceived as altering the status quo.

On 19th November 2024, a court in Uttar Pradesh's Sambhal

19 Al Jazeera. (2024, November 25). Mosque-temple spat: Why has India's Sambhal exploded into violent clashes? Retrieved from <https://www.aljazeera.com/news/2024/11/25/mosque-temple-spat-why-has-indias-sambhal-exploded-into-violent-clashes>

District ordered the appointment of an oath commissioner to survey the Shahi Jama Masjid at Chandausi. This was done within three hours of filing a civil suit by eight plaintiffs, including Hari Shankar Jain and Mahant Rishiraj Giri, who claimed that the mosque was built in 1526 after demolishing a temple that stood there. It was alleged that the mosque in question was originally the site of an ancient temple (Hari Har Temple) dedicated to Kalki, the last avatar of Lord Vishnu. The Hon'ble Court Appointed Advocate Ramesh Chand Raghav as an advocate commissioner.

“It would facilitate the court to adjudicate the suit if a report about the situation (at the site in question) is submitted (before the Court). Therefore, in the interest of justice, application 8C is accepted with the condition that at the time of survey, the appointed commissioner should get photograph and videography done on the spot at the entire proceeding.”

Balancing survey orders and the Places of Worship Act is essential to maintain peace in the country. Survey orders or surveys carried out for administrative purposes, such as resolving encroachments or updating land records, are strictly permissible only if they do not, under any circumstances, attempt to alter the religious character of a place of worship. Courts play a crucial role in ensuring that survey orders do not violate the *Places of Worship Act, 1991*. Surveys in sensitive areas, especially near religious sites, are often subject to judicial scrutiny. The primary objective of the *Places of Worship Act* is to maintain communal harmony. Any survey order that risks undermining this objective should be challenged or struck down by courts.

Therefore, survey orders that seek to alter the religious character of a place of worship would be in contravention of the provisions of the *Places of Worship Act 1991*. The Courts play a critical role in balancing the enforcement of survey orders with the objectives of the *Places of Worship Act*, ensuring that communal harmony and the rule of law are upheld.

Is the Sambhal Mosque Survey Legal?

In 1991, the Indian Parliament enacted the *Places of Worship (Special Provisions) Act*, which aimed to maintain the religious identity of all

places of worship as they stood on August 15, 1947—the date of India’s independence and partition from British rule. The legislation was introduced amidst a large-scale movement led by BJP leaders, which mobilized thousands of supporters to Ayodhya, demanding the construction of a temple at the location of the historic Babri Masjid. According to Hindu beliefs, Ayodhya is the birthplace of Lord Ram, and for decades, right-wing Hindu groups have claimed that the mosque was erected on the ruins of an ancient Ram temple.

Despite the law’s intent, it did not prevent the demolition of the Babri Masjid by a mob in 1992. Years later, in 2019, the Supreme Court of India ruled in favor of building a Ram temple on the disputed site, while also allocating alternative land for a mosque elsewhere. At the same time, the court reaffirmed the validity of the *Places of Worship Act*, asserting that “the court cannot entertain claims that stem from the actions of Mughal rulers against Hindu places of worship today”²⁰.

However, this precedent faced challenges when a case concerning the Gyanvapi Mosque in Varanasi—Prime Minister Modi’s parliamentary constituency—reached the Supreme Court in May 2022. The bench, headed by then Chief Justice DY Chandrachud, permitted an archaeological investigation. It clarified that although the site’s current status could not be altered, its “original nature” could still be examined. That same month, a Mathura court accepted a petition seeking to transfer ownership of the Shahi Idgah mosque to a Hindu organization aiming to build a temple dedicated to Lord Krishna.

Senior advocate Huzefa Ahmadi, representing the Mosque committee, warned against the probable consequences, “This will cause grave public mischief, which the Act of 1991 tried to avoid. A narrative is being built. We cannot leave these issues pestering. The Commission’s reports are being leaked selectively and disrupting the communal harmony, which the 1991 Act wanted to avoid. Don’t look at this from the point of one suit alone, but look at its ramifications across the country.”²¹

20 Al Jazeera. (2024, November 25). Mosque-temple spat: Why has India’s Sambhal exploded into violent clashes? Retrieved from <https://www.aljazeera.com/news/2024/11/25/mosque-temple-spat-why-has-indias-sambhal-exploded-into-violent-clashes>

21 https://www.business-standard.com/article/current-affairs/1991-law-doesn-t-bar-finding-religious-character-of-place-of-worship-sc-122052001594_1.html

Constitutionality of the Places of Worship Act

The *Places of Worship (Special Provisions) Act* was enacted by Parliament in 1991, and it bars the conversion of places of worship of any religious community into a place of worship of a different religious community. It declares that the religious character of a place of worship existing on August 15, 1947, shall continue to be the same as it existed on that day.

The Act further provides that any suit or appeal seeking to convert the religious character of a place of worship existing on August 15, 1947, pending before any court or tribunal, shall abate on the commencement of the Act. It also states that no suit or appeal relating to this matter shall be filed in any court after the commencement of the Act, and any suit alleging that the religious character of a place of worship has been converted after August 15, 1947, will be determined in terms of this Act.

However, the constitutionality of this Act is under challenge in the Supreme Court of India. A petition was filed in 2020 challenging the constitutional validity of the Act.²² A close reading of the provisions of the Act reveals that what has been prohibited is not merely the act of conversion but also fresh surveys to establish the religious character of a place of worship. As that stands settled, any attempt to resurrect the dispute and obtain an order from the court would be clearly in violation of the Act.

The *Places of Worship Act, 1991*, has been hailed as a law that protects secularism in the Ayodhya judgment of the Supreme Court. Wisely, the Court has now put a blanket ban on all fresh suits²³, orders, and surveys in pending suits relating to places of worship until it finally determines the issue of the constitutionality of the Act.

Quite apart from the issue of constitutionality or otherwise of the *Places of Worship Act*, a religious denomination has the fundamental right, under Article 26 of the Constitution, to manage its affairs in matters of religion. Worshipping in a mosque or a church is a matter

22 The Hindu. (2024). It is for historians to dig for tell-tale remains, not bigots. Retrieved from <https://www.thehindu.com/opinion/lead/it-is-for-historians-to-dig-for-tell-tale-remains-not-bigots/article69010128.ece>

23 <https://scroll.in/latest/1076761/sc-bars-new-suits-under-places-of-worship-act-stops-courts-from-passing-orders-in-pending-cases>

of religion, and any interference by an outsider in that place of worship can be treated as a violation of the fundamental right of that religious denomination. The court, while ordering a survey of such a place of worship, is violating Article 26 of the Constitution. The object of this Article is to protect the right conferred on a religious denomination. Therefore, even if the Act did not exist, a survey or excavation in a place of worship being used by a religious denomination to find out the religious character of that place would be a violation of Article 26.²⁴

Legal Controversies surrounding Shahi Jama Masjid in Sambhal

In the Ayodhya-Babri Masjid judgment, the five-judge bench of the Supreme Court observed,

“The PoW Act reflected the message that history and its wrongs shall not be used as instruments to oppress the present and the future”.²⁵

The Court also upheld the constitutional validity of the Place of Worship (Special Provisions) Act, 1991 (PoW Act), recognizing it as a necessary component of the obligation for a secular state, which is an intrinsic feature of India’s constitutional framework.

However, this vision was soon undermined when disputes over the Shahi Eidgah Mosque in Mathura, the Gyanvapi Mosque in Varanasi, the Shahi Jama Masjid in Sambhal, and thousands of other religious structures were brought before the courts by Hindu right-wing advocates and organizations. These legal challenges have significantly weakened the legal regime established by the Places of Worship Act.

What transpired in Sambhal exemplifies a collective failure of the executive and judicial branches, which has allowed “Places of Worship” disputes to proliferate, directly contravening the intent of the PoW Act. Strikingly, a lower court judge admitted a Section 80(2) CPC application—thereby waiving the mandatory notice requirement—on the very day the suit was filed, and immediately ordered an ex parte

24 The Hindu. (2024). It is for historians to dig for tell-tale remains, not bigots. Retrieved from <https://www.thehindu.com/opinion/lead/it-is-for-historians-to-dig-for-tell-tale-remains-not-bigots/article69010128.ece>

25 <https://www.livelaw.in/articles/sambhal-case-reminder-that-courts-must-enforce-places-of-worship-act-in-letter-spirit-to-preserve-social-fabric-276439>

survey to determine the character of an almost 500-year-old Mughal-era mosque. Yet, both the PoW Act and Section 9 CPC bar civil suits that raise religious or political questions. But when the main question relates to a property dispute and also includes some ancillary religious issues, then such a suit is considered a suit of civil nature. The real failure lies in the formulation of questions before the court: by sidelining the political motivations and communal implications of these petitions, the judiciary has neglected its duty to uphold communal harmony. Despite having the power under Order 7, Rule 11(d) CPC to reject any plaint barred by law—including by the PoW Act—lower courts continue to admit and entertain suits that should never have been filed.²⁶

The Pandora's box of Places of Worship (PoW) disputes was effectively pried open in 2022 by former Chief Justice of India D.Y. Chandrachud, who opined that the PoW Act does not bar the determination of the religious character of a place of worship as it stood on August 15, 1947, if such character is in dispute. However, this interpretation was vague, strained, and lacking in coherent justification, and fails to reconcile with the statute's explicit bar on the conversion of a place's religious character. By decoupling the purpose of determining such character from the Act's intent, the judgment risks diluting the core objective of preserving communal harmony. Most alarmingly, it opens the door for the deliberate and politically motivated manufacturing of disputes like civil suits, intending to cause public mischief.²⁷

On November 29, 2024, the Supreme Court agreed to hear a petition by the Sambhal Jama Masjid Committee challenging a survey order passed by a civil court to inspect the mosque. The survey was ordered in a case claiming that an ancient Hari Har temple exists beneath the mosque. The committee argued that the mosque is a 16th-century monument protected by the ASI, and that the survey order—issued on the same day the suit was filed—violated the Places of Worship Act and was passed without giving them a chance to be heard. They also highlighted how such survey orders are being misused

26 <https://indianexpress.com/article/opinion/columns/the-places-of-worship-act-must-be-protected-9840509#:~:text=For%20instance%2C%20tensions%20erupted%20in,courts%20attempts%20to%20undermine%20it.>

27 <https://timesofindia.indiatimes.com/india/congress-ex-cji-opened-pandoras-box-on-places-of-worship-act/articleshow/115852248.cms>

to stir communal tensions and disrupt law and order. The Supreme Court instructed the trial court to pause the proceedings and ordered that the survey report be sealed and not opened until the Allahabad High Court hears the matter.²⁸

CJI Sanjiv Khanna, orally observed and appealed, *“Peace and harmony have to be maintained. We don’t want anything to happen...we have to be neutral and ensure nothing wrong is done.”*²⁹

The Archaeological Survey of India (ASI), in its written submission to the local court, claimed that the Jama Masjid Management Committee had initially prevented them from entering the mosque for inspection. However, with the help of the local administration, the ASI inspected on June 25, 2024. The resulting report alleged that parts of the mosque structure had been altered or distorted.³⁰

Separately, on December 12, 2024, the Supreme Court, while hearing multiple petitions related to the Places of Worship Act, issued an interim order prohibiting the registration of any new suits under the Act until further notice. Although the Court did not stay proceedings in 18 ongoing suits concerning 10 religious sites—including mosques, dargahs, and graveyards—it ordered that no interim or final decisions, including survey orders, be passed in those pending cases until the next hearing scheduled for February 17, 2025.³¹

*“As the matter is sub-judice before this Court, we deem it appropriate to direct that while suits may be filed, no suits would be registered and proceedings undertaken till further orders of this Court. We also direct that in the pending suits, the Courts would not pass any effective interim orders or final orders, including orders of survey till the next date of hearing, the order reads.”*³²

28 Committee of Management, Shahi Jama Masjid, Sambhal v. Hari Shankar Jain and others | SLP(C) No.28500/2024

29 <https://www.livelaw.in/top-stories/supreme-court-asks-trial-court-not-to-proceed-till-sambhal-mosques-petition-against-survey-order-is-listed-in-hc-directs-not-to-open-commissioner-report-276723>

30 <https://lawchakra.in/other-courts/jama-masjid-committee-prevented-access-asi/>

31 Ashwini Kumar Upadhyay v. UoI And Ors. WP(C) No. 1246/2020 and connected matters

32 <https://www.livelaw.in/top-stories/civil-courts-cant-run-a-race-with-supreme-court-there-is-a-judgment-upholding-places-of-worship-act-sc-278190>

This interim order of the Supreme Court dilutes the intent of the Places of Worship Act. While it rightly halts new suits and interim orders, allowing 18 ongoing suits to continue contradicts the law's core mandate to freeze the status of religious sites. This selective restraint enables politically motivated litigation to continue on the 10 most prominent religious sites of Muslims, leaving space for communal tensions. It also weakens safeguards like Order VII Rule 11(d) CPC, meant to bar such suits outright that are barred by any law.

In January this year, several applications were filed seeking the vacation of the stay on registering fresh suits in places of worship disputes and the removal of restrictions on passing survey orders in pending Masjid-Mandir cases. While the Jama Masjid Committee has challenged the trial court's survey order before the Allahabad High Court, the Advocate Commissioner submitted the survey report to the trial court in a sealed cover, a month after the Supreme Court's directive on the matter.³³

On January 8, 2025, a significant development occurred when the Allahabad High Court stayed the trial court proceedings until February 25, 2025. The order was passed by the bench of Justice Rohit Ranjan Agarwal in response to a civil revision plea filed by the mosque committee. The court directed the Union of India, the Uttar Pradesh government, the ASI, and other respondents to file counter-affidavits within two weeks, followed by one week for the rejoinder.³⁴

Allahabad High Court has reserved its judgment on a civil revision petition challenging the trial court's order for a survey of the Shahi Jama Masjid. The order was passed in response to a suit filed by Hindu plaintiffs. The High Court heard arguments from all parties, including the Archaeological Survey of India (ASI), before reserving its decision on May 13, 2024.³⁵

33 <https://www.livelaw.in/high-court/allahabad-high-court/allahabad-high-court-sambhal-mosque-committee-trial-court-survey-order-advocate-commissioner-sealed-report-280035>

34 Committee Of Management, Jami Masjid Sambhal Ahmed Marg Kot Sambhal vs. Hari Shankar Jain And 12 Others | Civil Revision Defective No. 01 of 2025

35 <https://lawbeat.in/news-updates/allahabad-high-court-reserves-judgment-in-case-over-sambhal-jama-masjid-1400799>

Contestation over the ‘Well’ situated near the Jama Masjid

Notably, on January 10, 2025, the Jama Masjid Committee filed an interlocutory application (IA) seeking a status quo order with respect to the well situated at the entrance of the mosque before the Supreme Court. This development comes after the Sambhal administration started a drive to discover and revive old temples and wells in the region. In one such instance, the Nagar Palika issued notices and posters claiming a well near the Jama Masjid to be called Hari Mandir. The Supreme Court, after examining the map and photographs of well restrained the well-restrained Nagar Palika to give effect to the notice till further orders to maintain peace and harmony.³⁶

In a status report filed by the UP government with respect to the Well situated near the mosque claimed before the Supreme Court, it is situated on public land outside the boundary wall of the mosque. The Well in question, locally known as ‘Dharani varah koop’, does not have any water but has been in use by the members of all communities until 2012, but a police chowki was built on top of the part of it after the communal riots of 1978.³⁷

In the meantime, the Mathura mosque committee, in an application before the Supreme Court, has sought to close the Union of India’s right to reply due to exorbitant delay of more than 3 years. Despite repeated directions on 9.09.2022, 12.10.2022, and 12.12.2024 to the centre, it failed to file the reply on time, thus obstructing the proceedings in a crucial matter of PoWA³⁸.

Whitewashing, Maintenance of Shabi Jama Masjid ahead of Ramadan

Before the holy month of Ramadan, the mosque committee filed an application before the Allahabad High Court seeking directions to the respondents, particularly the Additional Superintendent of Police, North Sambhal, who was obstructing the cleaning and repairing at

36 <https://www.livelaw.in/top-stories/sambhal-masjid-row-supreme-court-halts-execution-of-municipality-notice-regarding-well-near-sambhal-mosque-280543>

37 <https://www.livelaw.in/top-stories/sambhal-mosque-case-well-near-masjid-public-property-has-no-connection-with-mosque-up-govt-tells-supreme-court-284860>

38 <https://www.livelaw.in/top-stories/supreme-court-mathura-mosque-committee-plea-centre-delaying-response-in-places-of-worship-act-matter-281568>

the mosque. The Court has directed ASI to submit its report on the necessity of whitewashing, decoration, and repair works, and observed in its order, stating,

*“To balance the equity between the parties, it is necessary that during the holy month of Ramzan, the revisionist and members belonging to his community may perform their religious activity without any hindrance,”*³⁹

Later, the Archaeological Survey of India submitted in its inspection report that no whitewashing is required in the Shahi Jama Masjid ahead of Ramadan as the entire mosque is covered with enamel paint and is in good condition. Upon the objections raised by the mosque committee on the ASI report, the court ordered ASI to carry out day today-day-to-daynce, like cleaning and removing dust and vegetation in and around the monument/mosque and instructed the mosque committee to cooperate.⁴⁰

On March 12, 2025, the High Court, in its order on Masjid Committee’s whitewashing plea, referred the Shahi Jama Masjid as ‘alleged masjid’ but it directed the ASI to carry out the whitewashing of the mosque within a week and expenses of which will have to be borne by the Masjid committee. The bench also slams ASI for failing to file the reply and acting at the behest of the government.⁴¹

Trial Court’s Survey Order Upheld; Hindu Plaintiffs’ Suit Deemed Maintainable

In a significant setback for the Muslim side, the Allahabad High Court has rejected a civil revision petition challenging the trial court’s order for a survey of the Shahi Jama Masjid by an Advocate Commissioner. The Court upheld the trial court’s direction, ruling that the civil suit filed by the Hindu plaintiffs is *prima facie* maintainable and not barred by law.⁴² Justice Rohit Ranjan Agarwal, who had reserved the verdict

39 <https://www.livelaw.in/high-court/allahabad-high-court/allahabad-high-court-asi-inspection-sambhal-mosque-need-whitewashing-ramzan-report-285080>

40 <https://www.livelaw.in/high-court/allahabad-high-court/allahabad-high-court-cleaning-sambhal-jama-mosque-asi-whitewashing-not-needed-masjid-committee-objections-285205>

41 <https://www.livelaw.in/high-court/allahabad-high-court/allahabad-high-court-sambhal-jama-mosque-whitewashing-asi-alleged-masjid-286414>

42 <https://www.livelaw.in/top-stories/breaking-sambhal-masjid-row-allahabad-high-court-upholds-trial-courts-survey-order-says-hindu-plaintiffs-suit-not-barred-292645>

on May 13, 2025, delivered the judgment on May 19, 2025.⁴³

The Allahabad High Court's judgment must be critically examined in light of two key legal provisions: **Section 80(2) of the Civil Procedure Code** and the **Places of Worship (Special Provisions) Act, 1991**. The court's justification for the early institution of the suit under Section 80(2) CPC on grounds of urgency, the rationale appears weak, relying solely on speculative fears of the plaintiffs regarding potential removal of artefacts. This lenient standard of urgency risks diluting the procedural safeguards meant to prevent frivolous or politically motivated litigation.

More critically, the Court's refusal to apply the bar under the Places of Worship (Special Provisions) Act, 1991—on the basis that the plaintiffs merely seek “access” to a protected monument overlooks the clear implication of the suit: a challenge to the existing religious character of the mosque. This sets a troubling precedent by allowing historical reinterpretations to enter judicial forums, despite the 1991 law's express intention to freeze such disputes. While the Court may not have decided the merits, its procedural leniency could open the door to further communal polarisation and undermine the legal finality of religious sites as proposed by the PoW Act.

43 <https://www.newindianexpress.com/nation/2025/May/19/sambhal-mosque-row-allahabad-hc-junks-masjid-committee-plea-against-survey-2>

PROTESTS, DEATHS, ARRESTS, VIOLENCE IN POLICE ACTION/ DEATHS, AND EXCESSIVE USE OF FORCE IN POLICE ACTION

The second round of the survey was conducted on the morning of 24th November 2024, preceding the allegedly violent protests in Sambhal. The first round of the survey had evoked suspicions amongst the local population. These suspicions were around the legitimacy of the surveys, and whether or not these surveys were part of harmless verification processes or a more ulteriorly motivated targeting of Islamic religious institutions. However, Sambhal MP Zia Ur Rahman Barq and members of the Masjid Committee present at the time quelled the suspicions. The second survey, conducted four days later, confirmed the suspicions of the locals.

During the second round of surveys, the survey team was accompanied by a lawyer, police personnel (PAC, RAF etc.) from other districts and, more significantly, a mob chanting “Jai Shri Ram”, walking just a few steps behind them as can be seen in the publicly available video of the team. The team did not make any attempts to disassociate itself from the mob. This spectacle raised legitimate concerns about the impartiality of the activities of the survey team and their entry into the mosque. Besides this, the *wazu khana* (ablution tank) in the mosque was drained during the survey. While it is alleged that this was done to measure the depth of the tank, this led to suspicions of illegal excavation being carried out in the mosque.

What followed this is a series of events that are contested to this day. Two primary versions of the protest that followed exist - one of the police and the other of the locals. While locals allege that it was a mass but peaceful protest, the police allege that *pathharbaazi* (stone pelting) took place on behalf of the protestors. To disperse the protestors, the police did a lathi charge, used tear gas, and opened fire on the crowd⁴⁴.

⁴⁴ While initially the police denied using gunshots and insisted that only pellet guns were used, later next month they admitted to firing warning shots in the air to disperse the crowd.

This resulted in the confirmed deaths of five Muslim men - Nasir, Basim, Nabeel, Kamran, Abbas⁴⁵. Even as the crowd began dispersing, the police went in pursuit. In Muslim majority neighbourhoods, they broke into houses and vandalized their property, including CCTVs, washing machines, mirrors, furniture, etc. The police also detained and arrested Muslims in large numbers (85 so far, as per our sources).

There are existing provisions in the law to deal with unlawful assemblies.⁴⁶ The **Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023** includes several provisions to deal with **unlawful assemblies**. **Section 148** deals with the **Dispersal of an assembly by use of civil force**, and states that the officer in charge of the police station can command the assembly to disperse. If they do not heed, the police officer may disperse the crowd, or if necessary, arrest and confine persons in the assembly.

Section 149 addresses the **use of armed force to disperse assemblies**, and under **sub-section (3)** states: “He (Police officer) shall use as little force, and do as little injury to person and property, as may be consistent with dispersing the assembly and arresting and detaining such persons.”

Section 150 deals with the **power of certain armed force officers to disperse an assembly**, allowing the use of armed forces when public security is manifestly endangered by any assembly. It also empowers the armed forces to arrest and confine any persons forming part of it or punish them according to law.

Further, **Section 37 of the Bharatiya Nyaya Sanhita (BNS), 2023**, elaborates upon the **limitations on the right of private defence**. It states that if there is no apprehension of death or grievous hurt, a public servant’s act in good faith may not be resisted. “The right of private defence in no case extends to the inflicting of more harm than it is necessary to inflict for the purpose of defence,” it further states.

The **Ministry of Home Affairs (MHA)** in 1985 released the **Code of Conduct for the Police in India**, which states under **Clause 4**:

Source: <https://scroll.in/latest/1076556/up-police-had-fired-warning-shots-says-official-two-weeks-after-four-killed-in-sambhal-violence>

45 Name of the victims have been anonymized.

46 The henceforth mentioned relevant CrPC sections have been adapted to the corresponding BNS and BNSS sections. Original applicable CrPC sections referenced from <https://cjp.org.in/crowd-control-by-police-how-much-force-is-too-much-force/>

“In securing the observance of law or in maintaining order, the police should, as far as practicable, use the methods of persuasion, advice and warning. When the application of force becomes inevitable, only the minimum force required in the circumstances should be used.”

The **UN Code of Conduct for Law Enforcement Officials**, adopted in 1979, states under **Article 3** that law enforcement officials may use force only when **strictly necessary** and to the extent required for the performance of their duty.

The **Model Rules on the Use of Force by the Police against Unlawful Crowds**, adopted by the **Inspectors General of Police Conference, 1964**, state that **minimum necessary force** should be used to achieve the desired objective. Force should be regulated according to the circumstances of each case. The object of such use of force is to disperse the assembly, and no punitive or repressive considerations should be operative while such force is being used.

The question remains: with these various provisions in place to deal with unlawful assemblies, was it justified for the police to open fire on the crowd?



Stairs in front of many houses in Sambhal have been demolished as a punitive measure. They are alleged to have been “encroachments”.



On our fact-finding visit to Sambhal, we observed the CCTV cameras installed at various points, often at the corners/intersections of roads, to be destroyed/ripped out, similar to the one seen in this image.



Pictures taken from the homes of the families who suffered vandalism at the hands of the police.

Pictured: broken almirah mirror, bashed in semi-automatic washing machine, broken mirror

Survey, Protests, Arrests

On 19 November, the Jain duo consisting of father Hari Shankar Jain and son Vishnu Shankar Jain, alongside Mahant Rishiraj Giri, priest of the Kela Devi Mandir, filed a petition in the district court in the morning. They requested an immediate survey of the mosque, claiming it was actually a temple. Advocate Prince Sharma, representing the government, did not raise any objections, claiming: “I am the government lawyer on record. So when the case came up, I had to represent the government”.⁴⁷ The usual practice is to seek a later date for responding.

An ex parte judgment was pronounced in the afternoon. An ex parte judgment is one made in the interest of one side only. No representative, either of Muslims or the Masjid Committee, was required to be present in the court. They were also not informed about the judgment after its pronouncement. Upon receiving the judgment, the Advocate Commissioner, Ramesh Raghav, sought its execution on the same day even though the court had not specified any date or recommended urgency.

The Archaeological Survey of India (ASI) has its office in Meerut, which is over a hundred kilometres from Sambhal. It takes at least three hours to drive from Meerut to Sambhal. A 5 member team from ASI was available within three hours of the court order for the survey execution. The lawyer of the mosque committee, Shakeel Ahmed Warsi has remarked that he has never seen orders implemented so quickly and alleged, “It was not a unique case. It has been made unique. There is a conspiracy behind this by people who want to disrupt the peace”.⁴⁸ Both the government lawyers - Prince Sharma, who, defying norms, neither objected to the survey nor sought more time, and advocate commissioner Raghav, who oversaw the execution of the surveys, - have affiliations with Hindutva outfits.⁴⁹

It was only when the survey team reached the mosque that Raghav decided to inform the mosque committee, minutes before the survey

47 <https://indianexpress.com/article/political-pulse/sambhal-row-dismissal-tension-priest-familiar-names-9695820/>

48 <https://caravanmagazine.in/crime/surveyors-of-destruction>

49 <https://caravanmagazine.in/crime/surveyors-of-destruction>

was executed. Upon seeing the ASI officials, local authorities, and police officials, Muslim locals gathered to protest the survey. In spite of this, the first survey was executed peacefully as the members of the Masjid Committee and Sambhal MP Zia Ur Rahman Barq addressed the concerns of the protestors and dispersed them. MP Barq claims that, “they (the authorities) tried to stoke tensions in the city but the locals resisted”.⁵⁰

The locals did not gather to protest, unprovoked. They gathered due to the undue haste in carrying out the court order. The Muslim side was neither informed nor given time for a response. This made the entire exercise appear suspicious for the local Muslims, given the fact that Sambhal has a history of communal violence, which has over time constructed a public consciousness that is perpetually tense and anticipating violence. Hence, the city has a peace committee.⁵¹ Comprising government officials and representatives of all communities, it acts as a bridge between communities to defuse tensions.⁵² While not mandatory, the committee meets at a regular interval, but particularly before any event that could lead to a conflict.

In Uttar Pradesh, the public memory of Muslims, built on Babri’s destruction, is lucid: surveys lead to demolitions. However, neither the peace committee intimated any information about the first survey, nor did it meet before it. This pattern repeated before the second survey. The notification and execution of the surveys without the normative peace committee meetings also lent to apprehension building among the Muslim locals. Hence, the late notification of the court order to the Muslim side, the absence of any peace committee meetings, and the overall, rushed demeanour of officials led to an atmosphere where local Muslims were anxious and scared, and consequently, gathered to protest the first survey.

After the survey, Sambhal was put on high alert over the fear of communal tensions, as the mosque has always been a sensitive issue in the city. However, it is very alarming to note that any measures usually taken anticipating communal tensions in UP – peace committee

50 <https://caravanmagazine.in/crime/surveyors-of-destruction>

51 Footnote a history of violence article

52 Varshney, Ashutosh. *Ethnic conflict and civic life: Hindus and Muslims in India*. Yale University Press, 2003. Pg 126.

meetings, unhurried and moderate behaviour of officials, and confidence-building among locals, were not deployed. It was almost as if the entire exercise was to hurt the sentiments of Muslims or capture headlines in the media.

On the next day after the first survey, Kundarki went to the by-poll. A small town not far from Sambhal, it has been a bastion of the Samajwadi Party and since 1996, has always been secured by a Muslim candidate. MP Barq vacated his MLA seat in Kundarki after he won the Lok Sabha elections from Sambhal. Consequently, the seat was scheduled to go for polling on 20 November. When it did go to polling, the elections were marred with malpractice – police officials suppressed Muslims and did not let them vote. The constitutional courts also turned a blind eye to the rampant electoral malpractice and chose not to act *suo motu*, even after a letter-PIL was properly filed by advocates for urgent consideration before the counting of votes.⁵³

On 22nd November, a heavier security arrangement was deployed in Sambhal. It included police personnel from Chowkis outside Sambhal, Central Reserve Police Force, Provincial Armed Constabulary, which is reputed to be anti-Muslim, and Rapid Action Force.

On 23rd November, the results of the Kundarki by-election were announced in the afternoon, and in the evening, the Masjid Committee was notified that the mosque would be subjected to a second round of survey the next day, as it was unable to complete the first survey due to bad weather. The seat of Kundarki had been secured by a Hindu candidate of Bharatiya Janata Party; Samajwadi Party, and more importantly, a Muslim seat had been turned.

On 24th November, it was with this background that the second survey was executed, and soon after, all allegations of election malpractice in Kundarki got buried as violence and chaos emerging from Sambhal engulfed the media and the civil society.⁵⁴

The second survey was executed without a court order and with undue haste. Raghav argued against both the necessity of an order

53 <https://maktoobmedia.com/india/letter-to-cji-seek-judicial-intervention-in-up-by-elections-citing-electoral-malpractices>

54 <https://www.newslandry.com/2024/11/25/odd-dip-in-turnout-puts-spotlight-on-ups-kundarki-bypoll>

and confidence-building. Displaying clear bias, he also expressed suspicion about the possibility of someone displacing “things” inside the mosque.⁵⁵ On the morning of 24th November, the survey team arrived at the Shahi Jama Masjid. A video emerged from Sambhal of a mob accompanying the survey team and chanting “Jai Shri Ram”. The survey team was walking just a few steps behind them. None of the ASI officials or the local authorities, including police personnel, made any attempt to disassociate themselves from the mob or control it. At least one member of the survey team also sloganeered with them.⁵⁶ The authenticity of the video has not been contested by either the ASI officials or local authorities.

In anticipation of the survey and stirred by concerns, local Muslims began gathering outside the mosque. To measure the depth of the wazu khans (ablution tank), the surveyors decided to empty it despite the availability of an alternate option – it could have been measured by dipping a measuring stick. The emptied water flowed downhill from the mosque and to the Muslims who had gathered outside. The pre-existing anxiety multiplied twofold with Muslims suspecting that an excavation, not a survey, was taking place as only that could justify the emptying of the ablution tank. As they began a peaceful protest of the “excavation”, the crowd sought to get closer to the mosque in search of answers to quell their anxiety.

Police Excesses, Deaths during Protest

When Muslims turned to CO Anuj Chaudhary with concerns about an excavation of the mosque, Chaudhary responded with verbal abuse and threats, followed by a lathi charge, according to Zafar Ali, president of the Masjid Committee.⁵⁷ During the first survey, concerns of the gathered protestors had been quelled by MP Barq and the Masjid Committee, and the protestors had immediately dispersed. If restraint in dealing with the protestors had been employed, the protestors would have most probably dispersed and not turned “violent” as the

55 <https://indianexpress.com/article/political-pulse/sambhal-row-dismissal-tension-priest-familiar-names-9695820/>

56 <https://x.com/yadavakhilesh/status/1860699161361866985>

57 <https://www.thequint.com/news/india/sambhal-violence-uttar-pradesh-shai-jama-masjid-temple-police-firing-muslims-killed-latest-update#read-more>

officials claim.

It was after this that the locals, police allege, pelted stones in response to the lathi charge, and their numbers kept increasing. The police then deployed tear gas to disperse the crowd and fired shots into the crowd, which resulted in the deaths of five Muslim men. Police claim they lathi-charged the protestors to control them. However, it is evident that the police did not employ restraint after the crowd began dispersing. Instead, the armed personnel went in pursuit.

Police personnel kept hitting the protestors with lathis even as they tried to leave. One of the protestors was violently struck down while he tried to leave. The police officer hit him twice with a lathi, and was joined by his colleagues. There are at least 5 surrounding the boy now. The video cuts there.⁵⁸

Numerous videos like this circulated online. The authorities claim only to deploy lathi charges, tear gas shelling, firing pellets, and detention as they retaliated to a mob which attacked them with “batons, hockey sticks, firearms, and tear gas shells”, set fire to three cars and one bike, and fired from country-made pistols (*desi katta*). However, numerous videos have depicted a crowd protesting and police unleashing an unprovoked lathi charge. The locals claim armed personnel opened fire on the Muslim crowd and set fire to their vehicles. Five Muslim men, including a minor, died, of whom four had succumbed to bullet injuries. Dozens were left injured. Police authorities deny firing at the protestors. Yet, videos of policemen firing blindly at protestors, using slurs, yanking children, and even pelting stones have emerged.⁵⁹ In one video, police officers are recorded saying: “*Chalao abe goli chalao*”.

Zafar Ali, representing the Masjid, has claimed that local authorities, including the DIG, the SP, and the DM, discussed opening fire on the crowd and that he witnessed the police opening fire on the crowd. He was detained and interrogated after he made the claims in a press conference.⁶⁰

58 https://x.com/ItsKhan_Saba/status/1860635596487868708/video/2

59 <https://x.com/NigarNawab/status/1860680140553859218>

60 <https://m.thewire.in/article/communalism/sambhal-mosque-committee-chairman-zafar-ali>

They went to Muslim majority neighborhoods, broke into homes, used religious slurs, harassed families, and vandalized belongings. Male police personnel and force personnel assaulted Muslim men and women. They arbitrarily detained several, including a minor and women, including those who were at home when the protest took place.

16-year-old Nadia⁶¹ was first detained by a crowd of policemen, who entered the house and dragged her out⁶². There were no female police officers in that contingent, which is a violation of due process. The policemen threatened to beat Nadia's sister-in-law, who tried to follow the police. Nadia's family locked themselves in, fearing another intrusion or detention.⁶³

Five Muslims died. Their postmortem reports have not yet been given to the family. The local administration has given a clean chit to the policemen by claiming the wounds are from country-made pistols. Without the postmortem, their claim cannot be denied. However, a relative of Kamran⁶⁴ – one of the deceased – claims that police fired at Kamran.

Kamran, who had left to buy supplies, was unreachable by phone when the violence began. Someone called his family and told them that the police had detained Kamran, beaten him up, and taken him to the hospital. The family was later contacted by the police, who asked them to come to the police station and then to the hospital. At the hospital, the family was made to make a thumb impression on a document. On 25 November, they brought out the body of Kamran in the presence of at least a hundred policemen. The police asked the family to bury the body quickly and accompanied them to the graveyard. On the same day, police began patrolling the city, which has become a regular practice now, and detained dozens of men, including a brother of Kamran. The family alleges, the police threatened to bulldoze their house and beat the brother brutally. They released him late at night. The family has not

61 Name changed for privacy

62 These violent arrest details have been shared with our factfinding team by the mother of the girl who was present at the time of the arrest. More details can be viewed in the "Testimonies" section.

63 <https://caravanmagazine.in/crime/surveyors-of-destruction>

64 Name changed for privacy

filed a complaint against the police.⁶⁵

Another deceased, Basim⁶⁶, arrived at his home bloody after the violence started. He had been shot. Before he died, Basim told his family that the police had opened fire. His family filed a police complaint alleging that Basim died during stone-pelting and by police firing. The police forced the family to omit the word “police” from the complaint.⁶⁷

The family of another deceased, Nasir⁶⁸, faces police harassment after they filed a case against the police for murdering him at a distance from the mosque. On 25 November, police officers visited the family at night and told them to take back the case. Since then, they have returned a couple of times — the officers knock on the doors late at night, tell them to take back the case, and abusively declare that he did not die of injuries. His family, however, has seen the injuries. There were two wounds — one entry and one exit. His family has not received the post-mortem report yet, and the police have taken his brother’s thumbprint on a blank piece of paper.⁶⁹

G, one of the arrested, has a mental illness. He was unaware of the violence and had gone out to eat when he came across policemen. When they asked G to return home, he started singing a qawwali. He was arrested on the spot.⁷⁰

MH, another arrested, is a minor. He had gone out to buy vegetables and did not return home. His mother took a photo and reached the police station to file a missing persons report. The police refused to register her complaint and asked her to return home. But she saw MH in a jail cell and begged them to release him. She kept returning to the police station every day. On the third day, the police asked her to sign “some papers”, after which MH was transferred to Moradabad. She is

65 <https://caravanmagazine.in/crime/surveyors-of-destruction> <https://article-14.com/post/as-sc-stops-mosque-surveys-muslims-in-up-s-sambhal-accuse-police-of-firing-bias-rushed-burials--675ba404056c8>

66 Name changed for privacy

67 <https://www.independent.co.uk/asia/india/india-places-of-worship-act-mosque-temple-b2708583.html> <https://caravanmagazine.in/crime/surveyors-of-destruction>

68 Name changed for privacy

69 <https://article-14.com/post/as-sc-stops-mosque-surveys-muslims-in-up-s-sambhal-accuse-police-of-firing-bias-rushed-burials--675ba404056c8>

70 <https://caravanmagazine.in/crime/surveyors-of-destruction>

too poor to travel forty kilometres to Moradabad and visit him.⁷¹

F was arrested at her house. The police entered the house, vandalised it, broke all her appliances, and assaulted her minor son, thereby fracturing his leg. The family speculates if their CCTV camera warranted the arrest and vandalism, as the police destroyed the camera and confiscated its DVD⁷².

Police have filed 7 FIRs, accusing MP Barq, Suhail Mahmood –son of MLA Iqbal Mahmood– and 2750 unidentified persons of a range of crimes related to the violence, but have been unable to find one of the five bullets that led to the five deaths. They have, however, stumbled upon cartridges and mentioned in a FIR that Muslims of Turkic origin fired on the crowd due to a previous rivalry with Pathans. This rivalry had previously been mentioned by the BJP in a press release.⁷³ Police have, to date, arrested approximately 85 Muslims, including 3 women and at least 3 minors, and identified 300 perpetrators from the 2500 unidentified accused. The figure of detentions increases every week. No due process of either arrest or detention is being followed. The police are detaining and arresting most individuals without informing them about the grounds of arrest, furnishing an arrest memo, or conveying details of the FIR. As such, all arrests are arbitrary and in total violation of Supreme Court guidelines. On 20 January, a Muslim man died in police custody hours after he was picked up by police. Police officials fled from the police station.

The Supreme Court of India has directed the local court to pause all proceedings until the Allahabad High Court hears the Mosque Committee's challenge to the survey order, the survey to be submitted sealed, and the government to maintain peace. The anxiety among Muslims is increasing day by day. They fear another Babri.⁷⁴ ASI has expanded its operations. They have surveyed 24 sites in Sambhal. Muslims fear that other structures might be cast as former temples, in violation of the *Places of Worship Act 1991*.⁷⁵

71 ibid

72 ibid

73 <https://indianexpress.com/article/political-pulse/sambhal-violence-samajwadi-party-rivalry-bjp-9695061/>

74 <https://caravanmagazine.in/crime/surveyors-of-destruction>

75 <https://caravanmagazine.in/crime/surveyors-of-destruction>

Many months later, Sambhal appears to be under siege. Drones are in the sky, cameras are surveilling, and more than 200 police personnel are stationed around the mosque at any time. In stark contrast, houses and shops with fluttering saffron flags were bustling with activity within two days of violence in the Hindu-dominated Kot Purvi in Sambhal.⁷⁶

76 <https://www.thehindu.com/news/national/uttar-pradesh/sambhal-another-city-split-into-green-and-saffron/article68927558.ece>

UNENDING TRAUMA: CONTINUING INTIMIDATION OF VICTIM FAMILIES, HUMAN RIGHTS DEFENDERS, AND VIOLENCE AGAINST SAMBHAL RESIDENTS

Myth-making and example setting are processes that require continued, deliberate, and connected stories, incidents, and narratives to be built up gradually over a period of time. Concentration of too many such events in a short period of time makes the myth susceptible to warranted suspicions over its credibility, and too much spacing out of such events makes ineffective their purpose of weaving a myth and/or example.

Sambhal has become a prime example of both. Continuous instances and examples of victims being different from the ones portrayed as such have been central to achieving this. The resulting dissonance, additionally, is key to reinforcing falsified stories and (inaccurately) historically-rooted narratives of self-victimization. While Muslim protestors, their families, and overall the Muslim residents of Sambhal are violated, it is the Hindu residents who are the ones seemingly aggrieved, having been deprived of their rights to the Mosque space where their God's tenth reincarnation is to be born. God should be born in a Hindu space, a temple. No further thought has been given to this, including to things such as how a birth, supposedly from a woman's body, is safe and permissible inside a temple, or anywhere for that matter, except a hospital.

This narrative and debate is far from the incident which sparked it in the first place, wherein the survey team was accompanied by aggravating individuals and circumstances, and the resulting protests and stone pelting (also a result of lack of effective preemptive crowd control measures) resulted in the death of five Muslim men (some below the age of 18) and injuries to many. From physical casualties and deaths to worrying about mythologized claims over the land, the gradual but complete shift of narrative and attention has been the result

of polarized media narratives, the state government's public stances, and the suppression of actual narratives from eyewitnesses, survivors, and residents of Sambhal.

This section of the report seeks to shed light on some of the experiences of the residents of Sambhal in the aftermath of the protests and deaths. While the incident in itself has passed, the residents seem to feel and be stuck in time, reliving the nightmare in one form or the other as the city continues being communalized every week, every month.

Intimidation, Surveillance, Privacy Breach

"You all are lucky to have met us at this time. They came in the morning and have gone out just now for some work, otherwise, they sit here 24x7 and don't let anyone come or make videos. They may be back soon.", the mother of one of the protestors killed in November remarked to the factfinding team as they reached her house to understand how the family is doing now, post the protests and deaths.

This remark, in addition to the fact that the team could not meet one of the families⁷⁷, proved how the police personnel were constantly stationed outside the homes of the families who had lost their children to police violence. This was perhaps to prevent the families' interaction with any outsider, whether journalist, lawyer, or anyone else. One of the factfinding team members shared in their reflections, "The cruel irony of this observation could not be unseen. The family's constant trauma-induced vigilance and subsequent exhaustion was visible on their faces, and the realization that members of the same institution i.e. the police personnel that had killed their son, were also constantly outside their houses to prevent them from speaking to anyone, was a realization the gravity of which hit us when we spoke with them." Most of the families spoke of being heavily pressurized in general, not to speak with anyone.

The constant presence also ensures that there is constant surveillance on not just the families but also the neighbours and nearby areas.

Before the pronouncement of the final verdict on the guilt of the

⁷⁷ Due to last minute prior-information received about the police having reached the family's home, in anticipation of the team's arrival. The team decided to not meet this family as they suspected the police would cause hindrances to the interaction of the team with the family, possibly leading to more grievances for the family as well as the team members.

protestors, big posters of their names along with their pictures were put up on Sambhal - which seemed to be in lieu of calling for a public trial of these individuals by having every resident involve themselves in a search-and-capture process without having asked for or consented to it in the first place.

Timing of Further Surveys, Raids

The routine procedures of carrying out administrative tasks such as household surveys, checks to determine electricity siphoning, etc., are common to the public administrative exercises of any locality and region. However, unfortunately, any seemingly routine exercise is not so innocuous in nature when it is being done in Sambhal now.

Various FIRs related to electricity theft have been filed against residents of Sambhal, including but not limited to political leaders such as Sambhal's Member of Parliament Zia ur Rehman Barq. Inquiries for information relating to the number of such FIRs were declined. However, local lawyers believe that targeted FIRs were filed in the time period soon after the incident, i.e., During the period of 10th to 13th December, around 1750-1800 FIRs were filed in all of Sambhal, with 250-300 of these being in MP Barq's area, Dipa Sarai.

While the fact of electricity siphoning may be true, it is the timing of the checks that needs to be brought into question. What was the intention of carrying out these checks, primarily in Muslim-majority areas of Sambhal, so soon after the incident? How could officials simply barge into MP Barq's home and begin searching, without any regard for due law & procedure? How much of this is to build the narrative or send a message?

The mosques and mazaars in Sambhal were also subject to these electricity siphoning checks by the administration.

Additionally, as per an article in *Dainik Jagran*⁷⁸ in early February this year, Sambhal police announced the commencement of a household survey exercise wherein Sambhal residents' data would be collected, including information relating to their passport, visa, and even if they are from Sambhal but reside abroad. The alleged purpose of this exercise

78 <https://www.jagran.com/uttar-pradesh/sambhal-city-sambhal-police-to-conduct-city-wide-survey-to-record-data-of-residents-23877631.html>

is to ensure the security of the city and prevent any possible crime.

Is Everything an ‘Encroachment’?

While there is no central statute that universally defines “encroachment”, it has been legally defined in various state-level legislations as “unauthorized occupation of land belonging to the Government by putting up constructions⁷⁹”, “the occupation by any person of the public premises without authority for such occupation⁸⁰”, “any unauthorised occupation of land not being private property, including any structure erected or continued without permission from the authority concerned⁸¹”.

“Permission”, “authorization”, “occupation”. The concept of “illegality” and its related (and feared) consequences have been weaponized as a means of intimidation in the case of Muslim residents of Sambhal. According to a report published on Al Jazeera, “Over the past three years, Hindu nationalist groups and activists have flooded the Indian judiciary with petitions across several states, alleging that Muslim religious sites are built on razed Hindu temples”⁸².

Since the events of November 24, there has been an unending series of allegations of one or the other kind of structure being suspected to be an “encroachment”. This is true of various sites and structures, including Shahi Jama Masjid, local shops, residents’ houses, *dargah*, *mazaar* (shrine/tomb), etc.

The trouble lies not in the allegations of a structure being an “encroachment”, but how quickly the involved proceedings are initiated, which almost seems to continue with the predetermined decision that it is not an allegation, but rather a fact that has come to light now, which needs defending. Such predetermined ways of events proceeding also seriously impact the social harmony of the region and intentionally instill fear amongst individuals of the Muslim community.

79 Section 2 of the Tamil Nadu Land Encroachment Act, 1905

80 (Section 2(g)) of Public Premises (Eviction of Unauthorised Occupants) Act, 1971

81 Section 26A of Uttar Pradesh Urban Planning and Development Act, 1973

82 <https://www.aljazeera.com/news/2024/11/25/mosque-temple-spat-why-has-indias-sambhal-exploded-into-violent-clashes>

The overall message that is sent out through such interconnected developments - of “illegal encroachments” being demolished, of the timing of accusations and raids conducted in relation to “suspected electricity theft” - is the message that cements disownment of Muslims as rightful residents, owners, and custodians of shared resources. Public commons and resources - electricity, land, etc. - are not commonly accessible, and it is almost as if Muslims are interlopers who need to display proofs/justifications which will grant them access to these resources otherwise freely available to all others. This sinister tactic of alienation of a community through small but constant measures is a calculated move of socio-cultural discrimination by systematic exclusion and constant questioning of claims and rights over resources.

Further Arrests, Police Violence and Excesses

Since the protests and violence in November, close to approximately 85 people have been arrested⁸³ in relation to the protests and violence in Sambhal. Locals have also informed that as a result of the firing, the fragments of the bullets have led to grievous injuries to and impairment of people’s hands. These same individuals have been imprisoned without proper medical treatment, a clear case of denial of prisoners’ rights to medical aid and treatment.

Furthermore, in January 2025, around 20 boys and men were picked up arbitrarily and kept in police custody for a long time. This was done in apprehension of their connection to one Mohammad Abdullah⁸⁴, who was suspected to have been present at the time of the protests, which turned violent. All of them were released from custody once Mulla Afroz was caught.

Police violence and excesses have also continued long after the incident. In January, a man in Sambhal allegedly died as a result of custodial torture by the police and denial of crucial medication. These allegations have been imposed by the family of the deceased.⁸⁵

83 This information has been derived through local sources that will remain unnamed for the purpose of privacy and safety. Other media sources have quoted figures around the same number, ranging from 79 to 83.

84 Name changed for privacy.

85 <https://thewire.in/government/sambhal-outrage-man-dies-police-custody>

As of now, only three persons have been granted bail by the Allahabad High Court.

The incidents of illegal arrests, arbitrary detentions, custodial torture, and deaths in Sambhal must be viewed through the intersectional lens of religion, class, and gender. The overwhelming majority of those detained are Muslim men and boys, reflecting a deeply communalized policing system where Muslim identity alone becomes grounds for suspicion and punishment. Most of the detained individuals also come from working-class and impoverished backgrounds—daily wage workers, scrap collectors, fruit vendors—who lack access to legal representation or the resources to demand accountability. This economic vulnerability compounds their exposure to state violence and renders them invisible in dominant narratives of justice.

Moreover, the impact on women—particularly mothers, wives, and sisters of the detained—remains underreported but is profound. If not being directly manhandled, assaulted, and violated by male policemen, they are left to navigate police stations, courts, and prisons, often alone and in the face of intimidation, while also managing the emotional and economic fallout of losing male family members to unjust incarceration or custodial death. This gendered burden of state violence is systemic and deliberate, ensuring that entire communities are destabilized through a targeted campaign of fear, humiliation, and structural disenfranchisement.

Myth Coming Full Circle

Every myth requires a story arc that reaches a full circle. Loose ends of any story or myth tend to unravel with basic critical thinking of individuals. It appears that with this knowledge, and to prevent any doubts about the claims, the myth-making of Sambhal has been made to reach completion. Sambhal - the land where Kalki will be born, where the Shahi Jama Masjid is an 'aberration' to the 'publicly' imagined legacy of Sambhal - is now back on its predetermined path of a Hindu-ized emancipation.

The building of the story arc requires painstaking efforts. In Sambhal's case, these have been seen in the gradual efforts towards the construction and opening of the police station (*chowki*) in front of the

Shahi Jama Masjid. Overall, 4-5 *chowkis* are under construction. In the case of this specific *chowki*, its inauguration was complete with the proper observation of Hindu rituals in the presence of local authorities. Quotes from Hindu scriptures were visible on the front part of the *chowki*. An affidavit in the public sphere was allegedly made to be signed forcibly by a Sambhal resident, declaring that his property is not Waqf property. This document relates to the land where recently such *chowkis* have come up. Sambhal has also witnessed the excavation and renovation of various small temples and wells.

The painstaking efforts also seem to include, more subtly, chipping away at the presence and upkeep of the Masjid. With March being the month of Ramzan in 2025, the Masjid sought permission to carry out whitewashing and repairs to the Masjid. However, these simple requests were questioned, leading to delays. Eventually, after a lot of back and forth, permissions for both were granted.

The emphasis on certain public narratives has been central to these developments. For instance, the stones that were used by protestors in November were allegedly also used to lay the foundation of the police *chowki* built in front of the Masjid. This seems to be an attempt at signifying the victory of the Hindu emancipators (a broad category that includes various groups) over the Muslim “conquerors” who allegedly engaged in “violence” to prevent the “righteous” survey and probable subsequent questioning of the Masjid’s validity on the land.

APCR PIL & Aftermath

A Public Interest Litigation (PIL) was filed on 27th November 2024 in the Allahabad High Court by the *Association for Protection of Civil Rights* (APCR), represented by its Joint Secretary Advocate Aabha Shukla, concerning police violence and alleged rights violations in Sambhal, Uttar Pradesh. The incident followed protests during a second court-ordered survey of the Shahi Jama Masjid on 24 November 2024, in a dispute claiming the mosque was once a Kalki temple. While the first survey was peaceful, the second triggered unrest amid rumors of desecration. A police lathi charge escalated tensions, allegedly provoking violence. Police then opened indiscriminate fire, killing five people.

The PIL alleges serious violations of constitutional rights (Articles 14, 19, 21, and 22), including arbitrary arrests, custodial violence, and denial of medical care. At least 25 people, including minors, have been detained without a proper legal procedure. Advocate Zafar Ali was also detained after criticizing police actions, with no update on his whereabouts.

The petition seeks status reports on deaths and arrests, public access to FIRs, independent investigations into police conduct, compensation for victims' families, and preservation of CCTV evidence. It urges judicial oversight and accountability, framing the incident as an instance of communal targeting and unlawful state violence under the newly enacted Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

As of now, the case stands disposed and dismissed without any relief, citing the reasoning that an inquiry commission has been formed by the government to look into the incident.

These developments beg the question: What has become of the role of Public Interest Litigation (PIL) in India? Is it the same as it was envisaged in its initial years? While PILs have led to landmark judgements and reforms for India, is it time that protections be instituted in place for those filing PILs, which bring the state machinery into question?

RTI activists have notably faced threats and dangers as part of their work, which, at its core, is simply about asking for information. Do the ones filing petitions as devoid of malicious intent as a PIL also require protections now? What will those look like? Who will constitute them?

The question remains, the answer for which dictates not just the future of organizations like APCR, but also for any organization or individual choosing to put themselves at risk for the greater public good and inching closer towards the achievement of the standards of justice we all claim to aspire to.

Context of the PIL

A Public Interest Litigation (PIL) under Article 226 of the Indian Constitution was filed by the *Association for Protection of Civil Rights* (APCR) at the Allahabad High Court through its Joint Secretary, Advocate Aabha Shukla. The PIL arises from the police violence and

alleged human rights violations in Sambhal, Uttar Pradesh, in the aftermath of the 24 November 2024 violence, which took place during the second survey of the Shahi Jama Masjid ordered by a Civil Judge in a communal property dispute.

Background of the Incident

The violence stems from an order dated 19.11.2024 in Civil Suit No. 182 of 2024 (*Hari Shankar Jain vs Union of India & Others*), directing a survey of the Shahi Jama Masjid, Sambhal, based on claims that it was originally a Kalki temple. While the first survey took place peacefully, the second survey on 24.11.2024—conducted in the presence of senior administrative and police officers—led to mass protests amid rumors that the mosque was being dug up. Despite the protest being initially peaceful, a police lathi charge allegedly provoked violence, following which the police opened indiscriminate fire, resulting in the deaths of five individuals whose names are being withheld for privacy.

According to media reports and video evidence, police officers were heard urging each other to “open fire.” A Section 163 BNSS order was immediately issued by the District Magistrate, restricting public movement and access to Sambhal, further isolating the affected community.

Allegations of Police Excess and Constitutional Violations

The petition highlights widespread police excesses, including:

- Indiscriminate firing and arbitrary arrests.
- Custodial violence, including denial of medical care, violates Articles 14, 19, and 21 of the Constitution.
- Non-compliance with legal safeguards under Article 22, BNSS Sections 36 and 37, and the D.K. Basu guidelines.
- Targeted persecution of the Muslim community, which constituted both the majority of victims and those arrested.

It alleges that around 25 people have been arrested so far, including minors, and that arrest memos, FIRs, and grounds for arrest have not been made available. These arrests are framed as retaliatory and communal in nature. One advocate, Zafar Ali, who publicly criticized the police’s decision to open fire, was also detained shortly after

addressing the media, and his whereabouts remain unknown.

The petitioner asserts that these actions are not only unconstitutional but also punitive and discriminatory, particularly affecting marginalized religious minorities. The writ seeks to hold law enforcement accountable for turning what should have been lawful crowd management into a situation of state-inflicted violence and impunity.

Prayers (Reliefs) Sought

The petitioner seeks several urgent and structural interventions by the Hon'ble Court, including:

1. Status Reports:
 - On the number and causes of deaths following the violence in Sambhal and any adjoining areas.
 - On the names of arrested/detained persons, FIR details, and statutes invoked against them.
2. Transparency and Legal Compliance:
 - Immediate uploading of FIRs on official websites for public access.
 - Publication of names of arrested persons outside District Police Control Rooms/Stations under Section 37 of BNSS.
 - Transmission of arrest details to the Executive Magistrate, as per Section 194(1) BNSS.
3. Accountability and Investigation:
 - An independent investigation into police brutality, particularly the killing of five individuals.
 - Court-monitored investigation into police officers' roles in ordering/engaging in firing.
 - Registration and investigation of complaints against police regarding violence and atrocities.
4. Compensation and Relief:
 - Compensation to families of those killed by police firing, as mandated under Section 396 of BNSS.
5. Preservation of Evidence:

- Immediate preservation of CCTV footage from police stations and surrounding areas for transparency and investigation.

6. Interim Reliefs:

- Interim directions to publish names and offences of arrested/detained individuals, especially those held beyond 24 hours.
- Interim orders for status updates on deaths and corresponding post-mortem reports.
- Interim orders to ensure FIRs are made available to both the accused and the victims.

7. General Relief:

- Issuance of any other order that the Court deems appropriate for the protection of civil liberties, public interest, and the rule of law.
- Awarding of costs to the petitioner for pursuing the case in the public interest.

Conclusion

This PIL points to a deeply concerning situation of state overreach, communal targeting, and systemic violations of fundamental rights in Sambhal. By invoking constitutional safeguards and statutory provisions under the newly enacted Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, the petition not only seeks redress for the affected families and communities but also aims to set a precedent to prevent similar police abuses in the future. The petitioner argues that transparency, accountability, and judicial oversight are urgently needed to restore public confidence in the rule of law and democratic processes.

Other incidents reported in the media

Post the Sambhal violence, several incidents, including bulldozer demolition, investigations, and state campaigns. We were unable to independently verify these developments on the ground and had to depend on secondary sources. But the growing intensity and number of occurrences of these incidents reflect a worrying trend, and we include here short brief overview of the trends to highlight them for the civil society.

1. MP Zia Ur Rahman Barq, whose family has a political legacy as representatives of Muslims, has increasingly been at the centre of several legal processes. These include the construction of an illegal house, accusations of electricity theft, and an FIR against his father. A hefty fine of 1.91 crore has also been levied against him. The power to his house was also cut. During his period, officials visited his house several times, Barq and his counsel made repeated presences in courts, and his residence was also measured by authorities.
2. Local officials launched a campaign against illegal constructions and encroachments in Sambhal. During the campaign, Muslim majority areas were hit repeatedly. Some Muslims dismantled their house by themselves, fearing the officials “would not leave anything”. Several shops under the custodianship of the Masjid Committee and built on Waqf land were served notices.
3. Sambhal was also subjected to a crackdown on electricity theft. Officials raided Muslim majority areas where they inspected residences, mosques, and madrasas. They detected 1440 instances of theft and lodged cases against them, including against 16 mosques and 2 madrasas.
4. Local authorities have instituted a committee by the name of Sambhal Kalki Dev Tirth to promote religious tourism in Sambhal. The authorities have also excavated 41 pilgrimage sites and 19 wells. They plan to construct 38 police posts and outposts using stones pelted in stone pelting on 24 November. A police post by the name of Satyavrat Police Chowki was inaugurated in Sambhal by local authorities with a religious ceremony. The post also has a wall engraved with verses from Hindu religious scriptures.
5. Janeta Sharif Dargah is also emerging as a site of continuous development. The dargah was first identified to be built on government land in mid-April, with allegations by the Tehsildar and the locals. The Tehsildar alleged the dargah was not built on Waqf land, while the locals, simultaneously, alleged that the authorities use the dargah and its land to earn money by extortion of the vendors during the fair. The Sambhal administration soon ordered a probe into it. Within a couple of days, authorities arrived to measure the dargah and inspect the clinic inside it. They closed

the clinic after finding expired medicines in it. They also marked the boundary of the dargah with a bulldozer. Meanwhile, the fair to be held in the coming days was cancelled due to legal uncertainty. During the measuring of the dargah, several authorities, including the SDM, tehsildar, police, lekhpal, and officials from the health department, were present. This was the first big case related to Waqf land after the Waqf Amendment Act was introduced and passed. The police, in the coming days, closed the clinic operating inside the dargah due to the inability of its staff to furnish documents.

LEGAL DEVELOPMENTS AS HARASSMENT, INTIMIDATION ATTEMPTS

Arbitrary Mass Arrests and Prolonged Pretrial Incarceration

A total of **83 individuals**, including **three women** and **Advocate Zafar Ali**, President of the Masjid Management Committee, have been arrested in connection with the Sambhal violence and are currently lodged in Moradabad Jail, located in the neighboring district. These individuals have been incarcerated for several months, and not a single accused has been granted bail by the local sessions court since November 2024.⁸⁶ According to the media, more than 160 bail applications have been rejected by the local court.⁸⁷

The police have registered a total of **12 FIRs** related to the violence against 37 identified and 3750 unknown persons, distributed among **three police stations**: seven at **Sambhal Police Station**, four at **Nakhasa Police Station**, both in Sambhal district, and one at **Pakbada Police Station** in Moradabad district.⁸⁸ Among these 12 FIRs, 7 FIRs were lodged by police regarding violence, 4 FIRs relating to the killing of four deceased individuals against unidentified persons, and 1 FIR, which is registered in Moradabad district against unknown persons of Turkic descent, was filed on the complaint of an injured person.⁸⁹

Advocate Zafar Ali, President of the Masjid Management Committee, was allegedly arrested on March 23, 2025. Despite previously not being named in any FIR, his arrest occurred just before he was scheduled to

86 <https://theprint.in/india/man-arrested-for-sambhal-violence-83-people-now-in-custody/2597811/>

87 <https://www.livehindustan.com/uttar-pradesh/sambhal/story-court-rejects-5-more-bail-applications-in-sambhal-violence-case-total-160-denied-201747953457278.html>

88 <https://www.hindustantimes.com/cities/lucknow-news/sambhal-violence-police-start-seizing-conspirators-assets-101745346088091.html>

89 <https://timesofindia.indiatimes.com/city/bareilly/sit-files-fresh-charges-in-2-more-sambhal-riots-deaths/articleshow/120491082.cms>

record his statement before the government-appointed three-member judicial commission in Lucknow, which is probing allegations of serious police misconduct during the Sambhal violence.⁹⁰

Earlier, Zafar Ali was briefly detained following a press conference in which he publicly presented factual details in a press meet about the November violence near Shahi Jama Masjid. His recent arrest has been made in connection with a violence-related case involving disproportionate charges, including those carrying a potential life sentence or death sentence.⁹¹

In a further concerning development, two previously dormant cases from 2018 and 2021, pending against him in Sambhal, have been suddenly revived, with the police now filing charge sheets in both. This sequence of events strongly indicates an apparent attempt to prolong his incarceration by invoking multiple cases, thereby maximizing his jail time and making bail increasingly difficult.⁹²

In January 2025, Sambhal MP Zia Ur Rehman Barq sought quashing of an FIR related to the November 24 violence, but the Allahabad High Court refused, citing prima facie evidence of a cognizable offence. However, it directed that any arrest must comply with Section 35 of the BNSS, 2023, and the *Arnesh Kumar* guidelines, ensuring safeguards against arbitrary detention.⁹³

In light of continued judicial denial of bail at the trial court level, the defense counsel has now approached the Allahabad High Court, seeking relief. However, bail pleas continue to be rejected—most recently by Judge Ragini Singh of the ADJ SC-ST Court, who dismissed the applications filed by Faizan and Azeem.⁹⁴

On February 22, 2025, the Uttar Pradesh Special Investigation Team (SIT) filed chargesheets exceeding 4,400 pages in six of the Sambhal

90 https://www.hindustantimes.com/cities/lucknow-news/sambhal-violence-case-shahi-jama-masjid-chief-zafar-ali-held-by-up-police-101742752534434.html?utm_source=chatgpt.com

91 Section 230 of Bhartiya Nyaya Sanhita <https://devgan.in/bns/section/230/>

92 <https://timesofindia.indiatimes.com/city/bareilly/sambhal-jama-masjid-chief-to-stand-trial-in-2-earlier-cases/articleshow/120319809.cms>

93 <https://www.verdictum.in/court-updates/high-courts/zia-ur-rehman-barq-v-state-of-up-2025ahc908-db-allahabad-hc-refuses-to-quash-fir-against-samajwadi-party-mp-1563343>

94 <https://www.bhaskar.com/local/uttar-pradesh/sambhal/news/bail-of-two-rioters-of-sambhal-violence-rejected-134894730.html>

violence cases registered at two police stations. The chargesheets implicate 79 accused, all of whom have remained in custody for the past six months.⁹⁵

The SIT has alleged that the mastermind behind the violence is Shariq Satta, a fugitive currently based in the United Arab Emirates (UAE). Notably, despite being named in multiple FIRs, prominent figures from Sambhal—including sitting Lok Sabha MP Ziaur Rahman Barq and Suhail Iqbal, son of local MLA Iqbal Mehmood—have not been chargesheeted.⁹⁶

Recently, a sense of relief and renewed hope emerged on May 8, 2025, among the families of those who have been languishing in jail for over six months in connection with the Sambhal violence. For the first time, the bench of Justice Dr. Gautam Chaudhary at Allahabad High Court granted bail to three accused individuals: Faizan, Shane Alam, and Mohammad Rihan in FIR No. 337/2024 and FIR No. 334/2024 at Kotwali police station, respectively. The court observed that the prosecution had failed to attribute any clear or specific role to them in the alleged violence, and hence it is a fit case for bail.⁹⁷

Earlier, the first accused to walk out of jail was Farhana, who was released after spending 87 days in custody. She was discharged by the local Chief Judicial Magistrate, Aditya Singh, after the SIT failed to produce any evidence against her.⁹⁸

Attachment of Properties of Absconding Accused

As part of the ongoing crackdown following the Sambhal violence, police have escalated action on May 21, 2025, against five absconding individuals by initiating property attachment proceedings under Section 84 of the Bharatiya Nagarik Suraksha Sanhita (BNSS). After a

95 <https://www.thehindu.com/news/national/police-file-chargesheet-against-79-accused-in-sambhal-violence/article69248368.ece>

96 <https://hindi.news18.com/news/uttar-pradesh/sambhal-sambhal-violence-main-conspirator-sharik-satta-charged-yogi-government-mulling-to-extradite-him-from-dubai-ws-kl-9195328.html>

97 <https://lawbeat.in/news-updates/allahabad-high-court-grants-bail-to-three-in-sambhal-violence-case-1400581#:~:text=The%20bench%20of%20Justice%20Dr,Alam%20on%20January%2019%2C%202025.>

98 <https://www.hindustantimes.com/cities/lucknow-news/woman-accused-in-sambhal-violence-walks-free-101740081167507.html>

proclamation was issued by the local court, notices were pasted on the properties of Mohd Atta, Faizan, Samad, Rahil, and Shariq—accused in FIRs 304 and 305 of 2024 at Nakhasa Police Station—who have repeatedly failed to respond to summons and absconding justice. Authorities have warned that failure to surrender may result in formal confiscation of their properties under Section 85 of the BNSS.

Targeted Collective Punishments After Violence

Following the violence that erupted in Sambhal on November 24, the district administration intensified its drives against encroachment and electricity theft.⁹⁹ While these actions are officially presented as routine enforcement measures, they appear to have been weaponized to collectively target and punish the district's predominantly Muslim population.

According to officials, the anti-encroachment campaign had been underway for nearly two weeks before the violence, under the supervision of the Deputy Collector in a routine manner. However, local sources have suggested contrarily; prior to November 24, the drive remained largely confined to commercial areas, such as Bahjoi Road, Shakti Nagar, Badaun Chungi, Tehsil Tiraha, Fawwara Chowk, Station Road, Badaun Road, Power House Colony, Jarai Gate, Subhash Road, Malgodam, 35B Railway Crossing, Kabristan, Shakti Nagar, Munsif Road, and Santa Mill Sabzi Mandi Road—where it primarily involved removing slabs and temporary sheds over drains in front of shops. Crucially, bulldozers had not entered residential areas before the outbreak of violence, which they did allegedly with some oblique motive post-violence.

The crackdown started just a day before violence, 34 individuals—including Member of Parliament Zia Ur Rehman Barq—were bound down under preventive action with a surety of Rs.10 lakh each, purportedly to prevent a breach of peace.¹⁰⁰ The post-violence crackdown did not spare political representatives either.

The intent behind these actions was unmistakable: by targeting

99 <https://www.etvbharat.com/en/state/sambhal-violence-yogi-govts-bulldozer-action-illegal-construction-demolition-sp-mlas-area-enn24121502817>

100 <https://www.newindianexpress.com/nation/2024/Nov/24/three-killed-in-clashes-during-violent-protest-against-sambhal-mosque-survey-in-uttar-pradesh>

political voices and ordinary residents alike, the administration sought to suppress dissent and erode the authority of elected representatives. These measures reflect a pattern of vindictive and punitive governance misused to criminalize Muslim political leadership and stifle democratic expression in Sambhal.

How Anti-Encroachment Drives Mask Communal Targeting through Retaliatory Bulldozer Justice

A few weeks after the violence, the Sambhal administration launched an anti-encroachment drive on December 14, specifically targeting areas like Sarai Tarin Main Market, Hindupura Kheda, Deepa Sarai, Khaggu Sarai, including areas near the residences of MP Zia Ur Rehman Barq, MLA Iqbal Mehmood, and SP leaders Aqeelur Rehman Khan and Firoz Khan that were affected by the unrest.¹⁰¹ During this drive, extensions of approximately **150 houses, shops, and 10 mosques**—such as staircases and balconies built over roads and drains—were demolished on the pretext of encroachment on government land.

Ten days after the violence, on December 3, 2024, the Chandausi Municipality carried out a major bulldozer action, demolishing nine allegedly illegal shops located at Sambhal Gate near BGM College, reducing them to rubble.¹⁰²

It is, however, a well-known fact that such structural extensions are common across residential neighborhoods in India. These often violate building bylaws, yet authorities routinely overlook them, making such encroachments a normalized and largely ignored urban reality, but this has been suddenly changed post-violence.

Similarly, the district administration has recently launched a sudden drive to identify and restore properties belonging to victims of the 1978 riots who had migrated from Sambhal. Officials are actively reviewing old land records to identify instances of alleged illegal occupation, aiming to return rightful possession to the families who were displaced during the violence.

101 <https://www.aajtak.in/uttar-pradesh/story/sambhal-bulldozer-action-against-illegal-encroachments-electric-line-snaps-during-action-near-sp-mp-area-lcla-strc-2126770-2024-12-22>

102 <https://www.abplive.com/states/up-uk/sambhal-violence-bulldozer-action-by-municipal-corporation-demolished-illegal-shops-2835624>

In a related development on January 15, 2025, local authorities discovered that the management of Azad Jannat Nishan School had allegedly illegally occupied land originally owned by three Hindu families who had fled the area during the 1978 riots.¹⁰³

On 15th May 2025, the administration allegedly demolished the school's gate along with several classrooms, causing damage worth Rs 30 Lakhs. The administration, after 47 years, has restored possession of the land to the rightful legal heirs of those families, allegedly without any due process, and was allegedly pressuring the school management to 'voluntarily surrender a portion of land for road construction'.¹⁰⁴



Bulldozer Action on Azad Jannat Nisha School on May 15, 2025.

The Allahabad High Court recently granted crucial relief to Azad Jannat Nisha School, facing continued threats of complete dispossession and demolition escalated post November 2024 violence despite decades of peaceful operation. The school's manager, Mohammad Shahvez Alam, asserted ownership of the land since 1979 through a registered sale deed executed by his father, who purchased it for the school from

103 <https://www.amritvihar.com/article/516768/sambhal-administration-took-possession-of-their-land-from-the-victim#gsc.tab=0>

104 <https://www.bhaskar.com/local/uttar-pradesh/sambhal/news/hindu-families-got-their-ancestral-land-after-47-years-134293507.html>

Ganga Prasad and Harprasad in 1979.¹⁰⁵ The court recorded the state's assurance of no immediate plans for the school's demolition and disposed of the matter on June 12, 2025.¹⁰⁶

In a similar ongoing exercise ostensibly aimed at preserving Sambhal's historical and cultural heritage, the district administration has begun investigating land records dating back to 1952. As part of this initiative, officials reportedly identified encroachments on land belonging to the ASI-protected Chandreshwar Mahadev Temple in Hayat Nagar, acting on a complaint of temple trustees dating back to 2016, on which no action was taken. They claim that the temple owns 84 bighas of land out of which only 19 bighas remain in possession.¹⁰⁷

In a parallel development, demolitions were also carried out in Chandausi, a Muslim-majority locality, specifically in the Laxman Ganj area. One such demolition involved a house allegedly encroaching on a 150-year-old stepwell. A 24-hour eviction notice was issued to Gulnaz, a resident of the area. Facing imminent demolition, Gulnaz herself dismantled the portion of the house said to be built over the historic stepwell.¹⁰⁸

Simultaneously, 24-hour notices were served to 11 shops located near the Thanewali Mosque, adjacent to the Kotwali police station. Authorities claimed the shops were unauthorized constructions on government land, marked for clearance as part of a road widening project. However, the Masjid Committee has contested these claims, stating that the land is registered as *waqf* property and that it has been regularly collecting rent from the shopkeepers.¹⁰⁹

While the administration cites encroachment on government land to justify its actions, it appears these demolitions were carefully orchestrated to circumvent the Supreme Court's demolition guidelines

105 <https://maktoobmedia.com/india/allahabad-hc-halts-demolition-of-sambhal-school-amid-hindutva-backed-ownership-dispute/>

106 Azad Jannat Nisha School vs. State of UP & Ors. | WRIT - C No. - 19551/2025

107 <https://timesofindia.indiatimes.com/city/bareilly/officials-find-encroachment-at-asi-protected-temple-land-in-sambhal/articleshow/117001330.cms>

108 <https://www.deccanherald.com/india/uttar-pradesh/house-encroaching-portion-of-stepwell-in-sambhal-partly-demolished-by-owner-following-notice-3351086>

109 <https://timesofindia.indiatimes.com/city/bareilly/leave-in-24-hours-or-bulldozers-roll-in-11-sambhal-shopkeepers-get-encroachment-notice/articleshow/117212111.cms>

issued on November 13, 2024. These guidelines completely ban bulldozer justice, mandating due process—including notice, personal hearing, and a reasoned demolition order—except in limited cases involving encroachments on government land, etc. By exploiting this exception, the authorities sidestepped legal safeguards and carried out punitive demolitions under the guise of legality. Far from being neutral administrative actions, these demolitions serve as a symbolic show of state power, aimed at instilling fear and deterring any challenge to governmental authority.

A contempt petition was filed before the Supreme Court regarding the violation of the November 13 order of the Supreme Court concerning the demolitions of structures. The property, which was a factory, was demolished between the period of January 10-11, 2025, affecting the basic livelihood of the petitioner. Without any prior notice and opportunity of hearing, a part of the subject property situated at Tiwari Sarai, Behjoi Road, Sambhal, UP was demolished by the UP authorities.¹¹⁰

But the Supreme Court dismissed the petition, while granting liberty to raise the concerns before the jurisdictional High Court. Also, the petitioner has urged the restrictions on 'No third-party claims'. The court was also informed that at the time of demolition, the alleged contemnors had threatened the petitioner and its representative with dire consequences and falsely implicated them in criminal cases. The fact that a CCTV camera installed at the site has recorded video of the entire episode of the incident is very relevant evidence to initiate contempt proceedings against erring officials, having no fear of the law.¹¹¹

The Supreme Court's tendency to send politically sensitive cases back to High Courts, taking a hyper-technical view on procedure, even when people are seeking protection from the top court as their ultimate hope, is deeply worrying. In cases like punitive bulldozer injustice, where the violation of rights is obvious at face value, the Court's silence, offering neither immediate interim relief nor even a few oral observations, feels unfair. It gives the impression that the Court is turning a blind eye to

110 <https://www.livelaw.in/top-stories/supreme-court-plea-filed-alleging-contempt-of-nov-13-order-demolition-at-sambhal-up-without-prior-notice-281846>

111 <https://www.livelaw.in/top-stories/supreme-court-disposes-of-contempt-petition-against-demolition-of-property-at-sambhal-up-asks-petitioner-to-approach-hc-283255>

serious abuse which has been brought to its notice, leaving the victims more vulnerable and weakening trust in justice.

Selective and Multi-pronged Crackdown on Janeta Dargah

The sequence of actions taken against the 250-year-old Astana-e-Alia Qadriya Naushahiya Dargah in Janeta village, Sambhal, raises serious concerns of selective targeting and collective coordinated crackdown against a Muslim religious institution.¹¹² What began as a local complaint of alleged encroachment swiftly escalated into a multi-pronged crackdown, including the abrupt denial of permission for the annual *Urs* celebration—a significant spiritual and cultural event for the local Muslim community.

The timing and targeted nature of the administrative actions, including withholding religious permissions, launching financial investigations, sealing an unauthorized medical clinic, and clearing adjacent agricultural land without due process, reflect more than routine governance.¹¹³ It signals a coordinated campaign that criminalizes the religious and cultural presence of Muslims in the area, undermining their constitutional right to freely practice and manage their faith institutions.

While the *mutawalli* of the Dargah, Syed Shahid Miyan, maintains that the disputed land is a registered waqf under the Sunni Central Waqf Board, the state has proceeded with punitive measures without proceeding with any legal recourse. This is not an isolated incident but fits into a larger pattern of encroachment narratives being weaponized against Muslim waqf properties, especially after the Waqf Amendment Act, 2025.¹¹⁴

The revenue authorities also cleared 40 bighas of land—part of a 100 bigha water body located near Dargah by digging up soil allegedly encroached upon by the farmers for cultivation without following any

112 <https://clarionindia.net/dispute-over-250-year-old-janeta-dargah-in-sambhal-as-authorities-claim-its-govt-land/>

113 <https://www.bhaskar.com/local/uttar-pradesh/sambhal/news/janeta-sharif-dargah-of-sambhal-134829687.html>

114 <https://www.hindustantimes.com/cities/lucknow-news/sambhal-first-waqf-land-row-post-amendment-janeta-dargah-land-in-govt-crosshairs-101744553119894.html>

due process.¹¹⁵ Following the controversy, an unauthorized medical clinic operating within the Dargah premises was also sealed after a surprise inspection by health department officials.¹¹⁶ The sealing of the clinic, a potentially beneficial service space, further alienates the institution from its social role and public utility.

Electricity Crackdown: Another Post-Violence Tool for Reprisal

The multi-pronged crackdown on residents of Sambhal has also extended to an alleged campaign against electricity theft, launched in the aftermath of the November 24 violence. As part of this drive, officials have registered over 1,400 cases of electricity theft, raising serious questions about selective enforcement. Among those named are 16 mosques and 2 madrasas, which were targeted during night-time checking raids widely perceived as intimidatory. It has been claimed that Uttar Pradesh Power Corporation Limited has imposed a total fine of Rs 11 crores, out of which Rs 20 lakhs have already been recovered¹¹⁷

Officials further claimed that as a result of the campaign, 22 new electricity connection applications were received from 22 mosques and 1 church. However, critics argue that such actions disproportionately target religious institutions of a particular community under the pretext of legal compliance. The crackdown has also reached political circles. An FIR was filed against local Member of Parliament, Zia ur Rehman Barq, for alleged electricity theft at his residence, and he was fined Rs 1.91 crores. An FIR was also registered against MP's father for threatening the electricity department officials under sections 352, 351(2), and 132 of BNS.¹¹⁸

In addition to the electricity theft campaign, raids were also conducted at religious sites under the pretext of loudspeaker regulation checks. These drives appeared heavily concentrated around the Shahi

115 <https://www.livehindustan.com/uttar-pradesh/investigation-of-waqf-properties-started-in-sambhal-janeta-dargah-sharif-was-measured-201744781026932.html>

116 <https://www.hindustantimes.com/cities/lucknow-news/admin-inspects-dargah-land-in-sambhal-illegal-clinic-sealed-101744732685338.html>

117 <https://economictimes.indiatimes.com/news/india/over-1400-power-theft-cases-registered-in-sambhal-16-mosques-2-madrasas-implicated/articleshow/117285462.cms?from=mdr>

118 <https://ddnews.gov.in/en/sambhal-sp-mp-fined-with-rs-1-91-crore-fine-for-alleged-electricity-theft/>

Jama Masjid and its adjoining localities, including Deepa Sarai, Miyan Sarai, and Nakhas—areas with a significant Muslim population.¹¹⁹

Multiple PILs filed against State Excesses in Sambhal, but the High Court leaves the Petitioner empty-handed.

In the aftermath of the violence in Sambhal that led to five casualties, several Public Interest Litigations (PILs) have been filed before the Allahabad High Court. The petitions seek an independent investigation—either through a Special Investigation Team (SIT) or the Central Bureau of Investigation (CBI)—into the alleged involvement of the Uttar Pradesh government in the incident. The PILs also request the framing of guidelines for conducting surveys of religious sites. The petitions have been filed by Varanasi-based Dr. Anand Prakash Tiwari (CRPIL/7/2024), the Association for Protection of Civil Rights (CRPIL/6/2024), and the Hazrat Khawaja Garib Nawaz Welfare Association (CRPIL/8/2024).¹²⁰

The PIL filed by the *Association for Protection of Civil Rights* contends that, following the violence, the police have engaged in arbitrary and unlawful mass arrests, detentions, and excessive use of force against residents of Sambhal, primarily targeting members of the Muslim community. It further states that the indiscriminate and disproportionate actions have created an atmosphere of fear, forcing many to flee the area due to threats and the risk of illegal prosecution.¹²¹ It also alleged that

“No grounds of arrest, arrest memo, details of FIR are being provided to the detained person, and people are being picked up arbitrarily with no compliance with the law or the guidelines laid down by the Supreme Court.”

One such PIL, filed by the *Hazrat Khawaja Garib Nawaz Welfare Association*, seeks the registration of an FIR and the arrest of Sambhal’s District Magistrate, Superintendent of Police, and the concerned

119 <https://www.thehindu.com/news/national/uttar-pradesh/sambhal-admin-launches-drive-against-encroachment-power-theft-near-jama-masjid/article68984721.ece>

120 <https://lawbeat.in/news-updates/amp/petitions-pile-allahabad-high-court-grapples-sambhal-violence-aftermath>

121 <https://www.livelaw.in/high-court/allahabad-high-court/sambhal-violence-aggrieved-person-enquiry-commission-allahabad-high-court-on-pil-against-police-atrocities-278782>

Station House Officer (SHO), alleging their responsibility for the deaths of four individuals in police firing.¹²²

Subsequently, the matters were initially and incorrectly listed before a division bench led by the Chief Justice of the Allahabad High Court, which does not have jurisdiction to hear criminal PILs. As a result, the PILs concerning the Sambhal violence were transferred to an appropriate bench with the requisite jurisdiction. This procedural misstep led to delays in hearing the matter, despite its sensitive nature involving issues of life and liberty and pleas for urgent interim relief.¹²³ The case was eventually taken up by a bench comprising Justice Ashwani Kumar Mishra and Justice Dr. Gautam Chaudhary. The bench allowed the withdrawal of the PIL filed by Dr. Anand Prakash Tiwari, granting him liberty to re-approach the court, while noting that the state government had already constituted an inquiry commission. The commission includes Justice Devendra Kumar Arora (Retd., Allahabad High Court), retired IAS officer Amit Mohan Prasad, and retired IPS officer Arvind Kumar. The state's counsel informed the court that the reliefs sought in the PILs fall within the purview of the inquiry commission, and hence, parallel proceedings before the High Court were unwarranted.¹²⁴

Afterward, on December 17, 2024, the PIL filed by the *Association for Protection of Civil Rights* (APCR) was listed afresh, which sought an independent investigation into the alleged police excesses during the Sambhal violence, and was consigned to record. The decision was based on a recent order passed by a coordinate bench in a related PIL. The bench comprising Justice Mahesh Chandra Tripathi and Justice Arun Kumar Singh Deshwal held that it was not a fit case for judicial intervention at this stage and instead directed the aggrieved parties to present their grievances before the state-appointed three-member Inquiry Commission, constituted under Section 5 of the Commissions of Inquiry Act, 1952. However, the court also granted liberty to the petitioner and any other aggrieved individuals to approach the High

122 <https://www.etvbharat.com/en!/state/sambhal-violence-pil-filed-in-allahabad-hc-seeking-fir-arrest-of-erring-officials-enn24112906020>

123 <https://timesofindia.indiatimes.com/city/allahabad/court-directs-transfer-of-pil-for-cbi-probe-into-sambhal-violence/articleshow/116020026.cms>

124 <https://www.livelaw.in/high-court/allahabad-high-court/allahabad-high-court-sambhal-violence-inquiry-panel-up-govt-allows-withdrawal-pil-police-atrocities-277247>

Court again if they remain dissatisfied after the commission concludes its inquiry.¹²⁵

By shunting the Sambhal PILs through jurisdictional shuffles, redirecting petitioners to an executive-led commission—rather than granting even basic interim orders for an SIT or CBI probe—the High Court has sidelined its core constitutional role under Articles 226. In so doing, it has allowed procedural technicalities to eclipse substantive fundamental rights of life and liberty. It not only deprived victims of meaningful independent judicial oversight but also handed accountability for alleged state abuses to the very government constituted commission, the same government that is at the core of all the accusations. Such an approach not only frustrates judicial oversight over state excesses but also erodes public confidence in the rule of law and the justice system.

125 <https://www.livelaw.in/high-court/allahabad-high-court/sambhal-violence-aggrieved-person-enquiry-commission-allahabad-high-court-on-pil-against-police-atrocities-278782>

MANUFACTURING NARRATIVES AND CONSENT: MUSLIMS AS “PATHHARBAAZ” IN A “HINDU” SAMBHAL

The violence of 24th November in Sambhal cannot be understood in isolation; it must be situated within the larger ecosystem of narrative production that casts the Muslim community in a permanent state of suspicion and criminality. In the days and weeks following the incident, Muslims were not only branded as “*pathharbaaz*” (stone-pelters), but also as “infiltrators”, “anti-nationals”, and even “electricity thieves” and “encroachers”. Each label served a specific narrative function—“*pathharbaaz*” for immediate criminalization of protest, infiltrators to justify demographic paranoia, and electricity thieves and encroachers to rationalize punitive state action like raids and demolitions. These frames drew from deep reservoirs of national imagination where Muslims are perpetually framed as inherently confrontational, territorially entitled, and disruptive to peace.

What we witnessed was not a spontaneous shift in public opinion but a carefully curated consensus—what Noam Chomsky and Edward Herman term “manufacturing consent”. In this model, the media—both mainstream and digital—play an instrumental role in setting the terms of discourse, often aligned with state interests. By selectively amplifying police versions of events while erasing or trivializing community testimonies, the media became a central actor in scripting the Muslim as the aggressor. The official narrative claimed that Muslims spontaneously gathered without provocation, engaged in stone-pelting, and even fired on each other, ignoring key community allegations of state provocation, like the presence of Hindutva slogans shouted during the survey, and the provocative draining of the mosque’s ablution tank. Police denied having fired any bullets, only to later revise this claim, admitting to having fired “in the air”—a detail that went largely unnoticed in dominant discourse.

Narratives are constructed not just through what is said, but also

through what is omitted. The state's story found easy acceptance because it matched already existing stereotypes. As Chomsky has argued, such narratives gain traction when they are embedded within a broader ideological framework that has been normalized over time through media repetition, education, and state rhetoric. In Sambhal, the Hindu mythological framing of the city as the birthplace of Kalki was used to portray the Muslim-majority status as an aberration. This ideological groundwork had been long cultivated by right-wing groups and was readily available for exploitation.

Any alternative account, especially one from within the Muslim community, was erased or discredited. The community's claims—of the authorities allowing Hindutva slogans like “Jai Shri Ram” to be raised in the presence of survey teams, of no peace committee meetings being held despite clear signs of tension, of ablution tanks being drained when less provocative measures were possible, and of unprovoked lathi charges by police—were not only left out of media coverage, but were systematically rendered illegible. Similarly ignored were the reports of police entering homes, vandalizing property, detaining minors and women, and targeting only Muslim neighborhoods for electricity raids and bulldozing drives.

This pattern of one-sided narrative construction is deeply familiar in Western Uttar Pradesh, where historical incidents of communal violence—from the 1980s to Muzaffarnagar—have followed a similar arc. Facts inconvenient to the dominant narrative are suppressed; culpability of state actors is downplayed or erased; and the Muslim community is portrayed as both aggressor and provocateur, never as victim or respondent to provocation.

The role of digital ecosystems, particularly WhatsApp, must be underscored in this context. As the Digital Witness Lab at Stanford University has documented, WhatsApp forwards—due to their encrypted, closed nature—often act as incubators of disinformation, spreading communal hatred with minimal accountability. In the case of Sambhal, eyewitnesses report the circulation of WhatsApp messages in local groups accusing Muslims of stockpiling weapons, conspiring against the temple, and invoking “historical wrongs” to justify state retaliation. These messages helped prime the public imagination before

official narratives even landed. These digital whispers, untraceable and virally replicating, help lay the ground for real-world action—raids, arrests, and bulldozings—which are then justified as reactive rather than proactive violence.

The police and state mechanisms acted in a seamless choreography with this narrative. Despite no official charges of stone-pelting being proven in most cases, homes were raided, minors were detained, women were assaulted, and economic sanctions like fines and demolition were disproportionately imposed on Muslims. This chain of events followed a familiar pattern: a singular, biased narrative is broadcast widely; any dissenting voices are dismissed as politically motivated or anti-national; and state action follows, bolstered by media approval and digital echo chambers.

Once this narrative was in place, punitive actions by the state appeared not as repression but as restoration. Electricity raids were conducted predominantly in Muslim localities—especially the one where MP Shafiqur Rahman Barq resides—and followed by smaller raids elsewhere to maintain balance. Bulldozers razed mostly Muslim homes. Mosques and dargahs were raided during the electricity drives, while no temples were touched. An encroachment removal campaign was launched in the same neighborhood as Barq's home. The fines imposed—amounting to crores—targeted only Muslims. Meanwhile, officials found time to visit Barq's residence at least twice a month for various investigations, reinforcing the image of the Muslim leader as lawless and suspect.

What emerged, then, was a perfect triangulation: the state criminalized a community through action; the media legitimized that action through selective reporting; and social media seeded and cemented the emotional logic behind the narrative. This synergy produced what Gramsci would term “common sense”—a story so entrenched it is no longer questioned. Even when contradictions in the official account surfaced—like the police changing their stance on whether bullets were fired—no significant public doubt emerged. The image of the irrational, violent Muslim had already taken hold. Counter-narratives—such as local claims that the violence was provoked, not initiated, by Muslims—were rarely given space. And when they

were, they were presented as “allegations” without legitimacy, further emphasizing the unidirectional flow of narrative legitimacy.

The Sambhal incident thus offers a clear window into how public narratives are not merely reflections of reality but instruments of power. They form part of the systemic infrastructure that enables the justification of communally targeted violence. They are carefully curated through selection, omission, and repetition; reinforced through visible state action; and circulated through both legacy and digital channels. From mythological framing to digital virality, from media complicity to state repression, each element plays a role in narratively remaking the Muslim community as a problem to be managed, not a population to be protected. In this process, the Muslim community was reduced to a monolith of criminality, undeserving of rights or recourse. And Sambhal, far from being a contested city of many histories, was remade narratively and politically as a site to be reclaimed.

TESTIMONIES

Testimonies taken by the fact-finding team have been summarized in a narrative format to ensure conciseness and in consideration of space. All testimonies have been anonymized.

Nadia (16 yo)’s mother

Zahid and his neighbours spoke to the fact-finding team about his 16-year-old daughter, Nadia, who was “taken” by the police and is currently in jail. He described how the male police personnel came to their house and dragged Nadia out of the house by pulling on her leg. Neighbours confirmed the account, adding that police personnel also attempted to “take” Nadia’s sister-in-law, who had given birth eight days earlier. She too was dragged but eventually let go. No female personnel were present during this exercise.

Nadia has been charged with pelting stones at police and armed personnel, although the neighbours pointed out that their terrace does not border the lane where the alleged stone-pelting took place, making her participation unlikely. A bail application has been filed for her, but she remains in jail.

Neighbours recounted the events of 24th November. They recounted that the police came to their lane when they were pursuing the protesters fleeing from the mosque. Although the protesters passed the lane and exited it, the police thought the protesters lived there and targeted the houses with mistreatment. They trespassed into homes by breaking doors, and damaged taps, washing machines, electricity meters, and the mattress of a double bed. The residents had to repair the taps and doors themselves. They reported rude and aggressive behaviour of the personnel. The police rounded up and “took away” at least four minors on the 24th.

One neighbor mentioned a CCTV camera in the area, located at a residence, which had footage of the events. However, the DVR was seized by the police after they broke the camera. A neighbour mentioned that someone had begun recording the incident on their mobile phone

during the incident. When asked if anyone had registered a complaint about the police personnel destroying the CCTV, the residents said that their complaint had not been received.

Nadia's mother said both her daughter and daughter-in-law were at home when the police broke down their door and entered forcibly. She only got to know what was happening when they spoke out in fear. The officers vandalised their water tap, washing machine, and electricity meter, incurring "so much loss" to them. They also destroyed the bed sheet of the double bed. The officers slapped Nadia and her sister-in-law several times and told them not to speak. Her daughter was scratched and dragged away despite pleading. When pleading, the officers asked her, "Why are you speaking?" Along with Nadia, a female relative of the family was also taken. Altogether, one woman and one minor from the locality were detained. Nadia's mother expressed disbelief and grief, saying they had done nothing wrong and were simply sitting inside their house.

When asked to submit a written complaint to the National Human Rights Commission (NHRC), residents expressed fear about facing further harassment from police.

Abbas

Zeyrab, the elder sister of Abbas, began her testimony by expressing the difficulty in speaking up. "If we say something, it becomes exaggerated," she remarked, emphasizing the pressure and intimidation they were experiencing. "They are building pressure and worrying everyone in Sambhal. They enter whichever house they want and pick whomever they want to," she said.

Abbas' mother added that conditions have been extremely difficult. "We are not able to believe anyone at once. Things have been in a terrible condition. Very terrible condition." Her husband, aged and now injured from a fall, is among those feeling the strain.

Abbas' father confirmed that Abbas, aged around 20, is currently in custody. He explained that bail applications have been filed in both lower and upper courts. It got rejected at the Chief Judicial Magistrate (CJM) level, and the family is currently awaiting a decision from the Sessions Court, where the application has been pending for a month. He

does not expect the chargesheet to be filed within the stipulated three-month window. “We will go to the High Court,” he said resolutely, revealing that his son-in-law had been named in the FIR while Abbas had been listed as an unidentified accused.

Saeed Azam

Nadir testified about his brother, Saeed Azam, a 38-year-old man whose name, he said, had been wrongly recorded in official documents. “His real name is Saeed Azam¹²⁶,” Nadir clarified. “But they wrote it incorrectly.”

According to Nadir, his brother had just finished offering prayers and was exiting the mosque when he noticed a large crowd nearby. Curious, he walked a short distance and stood to observe. It was then that he saw the police and the pelting of stones at the crowd. Realizing that the chaos was unfolding near his in-laws’ house, Saeed moved down a nearby alley to reach his in-laws’ home. “The police personnel do not have any photos or videos of him, of any sort,” Nadir emphasized. “He was not found standing there as he had come inside.”

When people fleeing from the mosque went to their homes, the police and administrative personnel followed them in pursuit. “There were children present; they took the children; they took the women. Dragging from here. The women were let go after being mistreated. They were slapped by the police.” His brother, too, was taken at first but then let go, and he returned to his in-laws’ house “because he considered it as his home”.

Nadir insisted that if authorities had any evidence showing his brother at the mosque, they should present it. He pointed out that there were CCTV cameras installed on the roads, from the Nakaasi intersection to the alley intersection, and the Ukhed intersection to the point. “If there’s any footage of our brother standing there, they can hang us with him,” he asserted. He noted that the authorities had already seized the DVRs from those cameras, and the footage could be verified at any time. “I’m just telling you the truth,” Nadir said towards the end. “That’s why I’m mentioning this.”

126 Real name changed here, for privacy.

Kamran's mother, family members

Kamran, a 17-year-old boy who sold plastic toys in the local market to help support his family, was the middle child among his siblings. His family describes him as a vital contributor to the household's income, especially since his father has been unable to work due to a debilitating skin condition that requires his hands to be bandaged daily. On the day of the incident, Kamran had stepped out, presumably to the market, but never returned. His mother and other family members searched for him all day in vain. Around 4 p.m., his uncle received a call from a local police officer (*daroga*), asking the family to come to the government hospital and identify Kamran ("*tumhara bachcha yeh hai, pehchaan lo*"). They were made to give thumbprints, and told the body would be found at another location — Bejoi — but even there, they were not shown his face properly. It was only once they brought him home that they finally saw him, albeit briefly. Kamran's mother recalls being allowed to see her son's face for barely five minutes before he was taken away again.



The family reports that Kamran had been shot in the chest — the bullet came from the front, indicating he was not fleeing. His brother adds that Kamran had no face covering or mask on initially, but a mask was placed on him afterward. A video has surfaced, they say, showing a policeman firing his weapon close to where Kamran was. Despite this, the family has not received the postmortem report, nor have they been able to file an FIR themselves. They state that the FIRs registered are general and related to the two deaths that occurred, not a complaint specifically filed by the family. Moreover, they are under constant surveillance — the police had stationed themselves outside their home around the clock until recently, preventing visitors, filming, or communication with others. Even when someone leaves to buy medicines, police personnel accompany them. This, the factfinding team believes, is a tactic of intimidation.

According to Kamran's brother, they were threatened against speaking out: "*zyada netagardi mein mat bhaago, pura ghar pareshaan ho jaaega*" (i.e., "don't get involved in *netagardi* (political activism), your whole family will suffer"), the police reportedly told them. They were even pressured not to bury the body at night — a time when they finally brought Kamran home and conducted the burial amid heavy police presence. When asked if they would pursue justice through legal channels, the mother and brother affirm they will fight and give their full testimony. However, they admit the pressure is immense — they can't speak freely or visit anyone without fear. Rumours have circulated that police or intermediaries have suggested a compromise: take money and stay silent. But Kamran's mother is clear — "We want justice for my son," she had said firmly.

The family is financially and emotionally devastated. Kamran had become the main breadwinner due to his father's illness. His elder brother, once he got married, began living separately. His younger brother has started working recently. Their mother's pain is echoed by Kamran's grandmother, who broke down: "Even if they had broken his arms or legs, it would've been bearable... but they've taken him away from this world." The family's grief was layered with helplessness, anger, and fear — but also with a clear and unwavering resolve - "*nahi humein toh insaaf chahiye bhaijaan*".

Nasir's mother

Nasir's mother was silent for a moment when a member of the fact-finding team inquired if she had the strength to speak about her son Nasir and the day he died. "What's there to talk about?" she said softly and wearily. To the factfinding team, it seemed that the family was under pressure not just from the state, but also from local actors who may have happened to be present at the time of this conversation.

It had been six years since her husband passed away, leaving her to raise their children alone. And now, she had lost her son too. "So young, so young," she murmured. "He got shot... Nasir got shot." Her words trailed off.

Nasir had been shot on the left side of his body, she said. The gunfire came from the front. The postmortem report, she said, hasn't been

received. She has not filed any official complaint.

Many lawyers had come to her with promises to fight the case. “I don’t know,” she confessed when asked if anything had been done in court. “My Allah will bring justice.”

Still, as one of the team members gently pointed out – even in such a case, some human effort was needed – the mother, in a resigned manner, said that she had no one. “No one to fight, no one to go to court.”

A male relative added that Nasir had taken responsibility for the family from the time he was small. After their father passed away, he had looked after everyone. Now, Nasir has left behind four children.

“My child came carried in arms,” the mother said, her voice breaking. She named two relatives who were picked up. “They gave statements,” she said, “but even then, their names have not been removed from the FIRs. They are still doing whatever they want.”

Locals

During the fact-finding visit to Sambhal, the locals provided detailed testimonies regarding the events that unfolded following the recent police action and the broader pattern of state-led intimidation. Their accounts suggest a coordinated attempt to target Muslim residents through legal, administrative, and extrajudicial means.

One person recounted the handling of the bodies of those killed in the police action. According to him, the burial process was forcibly carried out, and in at least one case, no post-mortem examination was permitted. The denial of such procedures raises serious concerns regarding the transparency of law enforcement actions and efforts to suppress evidence of excesses.

Many locals pointed to what they believe is a broader, state-sanctioned plan to restructure Sambhal into a Hindu religious tourism zone. They alleged that the administration, under direction from higher authorities in Uttar Pradesh, has identified large, vacant plots and older Muslim-owned structures—including wells and mosques—for demolition and replacement with Hindu idols or religious installations. According to their account, the administration initially attempted to provoke communal reaction by targeting Hindu temples situated in Muslim-majority neighborhoods. The perceived intention was to manufacture

a violent response that would justify police firing on Muslim residents. However, the local Muslim community did not react violently, which they believe led to a shift in strategy.

The new approach involves branding minor roadside structures built by Muslim families as “encroachments” and publicly demolishing them under heavy police and paramilitary presence. Committee members described routine activities—such as the installation of electricity meters or checking power supply to mosques—being carried out with as many as 200–250 armed personnel, with the effect of creating a constant atmosphere of fear.

The local also noted that there has been near-complete public silence from the local Hindu population. While they acknowledged that private discussions may be occurring within homes, no public statements of solidarity or concern have been made. This silence, they argued, has allowed the state to recast the situation as a law-and-order conflict between Muslims and the police, rather than acknowledging the communal and political nature of the repression.

As of the time of the fact-finding, 58 Muslim men from Sambhal had been arrested. None had formal charge sheets filed against them. There are indications that the state plans to invoke the National Security Act (NSA) in some of these cases. Community members fear that efforts are underway to falsely implicate a political or religious leader as the “mastermind” behind the violence in order to legitimize these detentions and shift blame.

The locals also raised serious procedural concerns regarding a recent Archaeological Survey of India (ASI) survey of a local mosque. While an initial hearing was held on 19 November and the order required submission of the survey report by 29 November, the survey team arrived and began work within 24 hours, well before the deadline. A second survey was carried out on 24 November without any new court order, despite the committee’s objections and insistence that proper legal documentation be produced. The team conducting the survey included lawyers and individuals affiliated with the Vishwa Hindu Parishad (VHP), who are also involved in other communally sensitive cases such as the Kashi dispute.

During the second survey, the team reportedly entered the mosque

premises and insisted on emptying the *wuzu hauz* (ablution tank) to measure its depth, despite being advised that a measuring scale would suffice. The emptying of the tank was visible to the public and led to the gathering of a crowd outside the mosque. This was followed by a lathicharge by police and subsequent firing. Despite the unrest, the second survey was completed that same day.

In response, the Shahi Jama masjid committee has filed a legal challenge citing the 1992 Places of Worship (Special Provisions) Act, which bars changes to the religious character of places of worship as they existed on 15 August 1947. They have demanded a judicial inquiry into the survey process, preferably by a panel comprising retired judges.

The pattern of detentions was described as gradual and targeted. Initially, 2–4 individuals were detained, followed by more arrests over the following days. Some detainees were released after being physically assaulted; others were fined. Particularly concerning were reports of minors being implicated. Locals stated that police claimed to have recovered firearms from boys as young as 14, and these cases have since been moved to juvenile court.

Lawyers

In a recent discussion with the lawyers, several concerning issues surrounding the victims of police violence and the aftermath were highlighted, revealing numerous troubling practices and developments. The judicial investigation process has been marked by severe shortcomings. The judicial commission, responsible for recording testimonies from survivors and community members, failed to adequately engage with the victims. The commission made brief visits to the site without recording testimonies from affected family members or community representatives. While testimonies from Hindu victims were taken locally, Muslim victims were forced to travel to Lucknow for their statements. Furthermore, the commission has been accused of citing evidence from the 1978 riots in Sambhal when discussing the 2024 violence, a move that has frustrated victims. Protests outside the commission's office called for justice for the 1978 riot victims, with some being compensated with land as a result.

The number of arrests in relation to the violence has now reached 85,

with 150 demolitions reported, including both complete and partial demolitions of properties such as houses and mosques. In areas like Dipa Sarai, which is closely associated with MP Barq, there have been stricter electricity raids and a disproportionate number of fines levied. In some places, old houses (50-60 years old) were partially demolished following electricity raids. While officials claimed that demolitions were part of an encroachment removal drive, it appeared they were punitive in nature, especially against Muslim communities. Temples, by contrast, were not subjected to similar scrutiny.

There are grave concerns regarding the arbitrary filing of FIRs related to electricity theft. Between December 10 and 13, approximately 1,750 to 1,800 FIRs were filed, with a significant portion of them (250-300) concentrated in Dipa Sarai. Many of those fined or charged had no prior issues with their electricity meters. The raids were described as acts of intimidation, aimed at spreading fear among the Muslim population. Mosques and mazaars were targeted for electricity checks, while temples were not subjected to the same treatment. In some instances, people hurriedly installed new meters, removed wires, and set up solar systems to avoid being penalized. The case of Zia, who was charged an exorbitant fine based on incorrect meter readings, exemplifies these systemic issues. Despite requests for rechecks, authorities failed to revisit the meters, and many of the fines were seen as part of a larger strategy to terrorize the Muslim community.

One significant case involves a Maulana, who was allegedly coerced into signing an affidavit declaring his property was not Waqf. This affidavit was linked to land where a new chowki had been established. Additionally, land from Jannat Nisha Public School and other areas has been taken and redistributed to victims of the 1978 riots without following due process of law; civil suits are expected to follow against this administrative action in lower courts.

As of now, 12 FIRs have been filed, with 10 charge sheets already submitted. Two others are expected to be chargesheeted soon. One individual, accused of stone-pelting, was discharged due to a lack of evidence. Some individuals have been granted bail, though the full details of these cases remain unclear. The inquiry commission's visits have been criticized for their lack of transparency and efficiency.

While 3-4 visits took place, Muslim victims were forced to travel to Lucknow for their testimonies, while Hindu victims of the 1978 riots were allowed to testify locally in Sambhal. Moreover, the commission has introduced more barriers by requiring parties to appear via video call at the central office, further complicating the process. In total, testimonies of approximately 40-45 persons have been recorded by the commission (according to the local lawyers, the numbers may vary). These include, but are not limited to, Zia Ur Rehman, Suhail Iqbal, Zafar Ali (through Affidavit), SP Sambhal, ASP Sambhal, CO Sambhal, SHO PS Sambhal, SHO PS Nakhasa, etc. The numbers include a total of 22 policemen and 9 media reporters.

The number of absconding individuals is currently at 56 in Kotwali and 10 in Nakhasa. Although initial claims suggested three suspects had been identified, no arrests have been made. No one has been booked under the National Security Act (NSA), but one person has been charged under sedition for an online interaction with a Pakistani cleric. The fear and frustration within the affected communities are palpable, with many families reluctant to come forward due to fear of further repercussions. This reluctance has made it difficult to hold the police accountable for their actions. The combination of selective legal action, biased enforcement, and a lack of meaningful investigation continues to hinder justice for the victims of police violence.

KEY RECOMMENDATIONS

Recommendations for the Inquiry Committee constituted by the UP government

1. The committee should adopt an open and transparent process for survivors to be able to appear before it and present their testimonies.
2. Given the nature of criminalisation of survivors and other people involved in the Shahi Jama Masjid Management Committee, the Inquiry Committee should enable survivors to appear before it in different ways, including physical appearance and submitting written testimonies by post, in order to allay the fears of retributive criminalisation.
3. Anyone who deposes in front of the Judicial Commission should get security if they fear for their life.
4. Survivors should meet the commission and tell the judge chairing it about the situation on the ground, and ask him to make appropriate arrangements so that the survivors feel confident about coming in front of him. As of 18th March 2025, the committee has not really begun its work. The situation has turned political and is very tense, so the families are not even being allowed/don't have to space to approach the committee.

Recommendations for NHRC

1. NHRC should initiate an investigation based on complaints received by it.

Recommendations for the police

1. Stop retributive criminalisation
2. Initiate e investigation into the unlawful use of force by police
3. Transfer investigation ot senior officials who are not involved in the instant case

Recommendations for the government

1. Ensure that no one exhibiting bias against any group oversees or conducts administration at any level to defuse the probability of any group losing trust in the government.
2. Use this report's findings to ensure that any damage done by police or armed personnel to private property is compensated by the government.
3. Disciplinary action against personnel who were complicit in assaulting Muslims in their homes.
4. Adequate compensation to all injured and families of those killed in violence.
5. Transfer police officials.
6. Reconstitute the Peace Committee and make it functional.

Recommendations for civil society

1. Collaborative work and effort across collectives to collectively tackle growing communalism.
2. Ensuring the safety of locals while conducting their fact-finding or excursions.
3. Consistent campaigns to build pressure on/hold accountable the local administration.

Recommendations for the judiciary

1. Immediate and unconditional release of all persons arrested without following the guidelines.
2. Officials who demolished properties without notice and in violation of due process should be punished.
3. The Judicial Commission should be investigated for impartial proceedings in favor of Hindus.
4. The murders of five Muslim men and the violence of 24 November are to be investigated impartially, considering the multiple allegations that have been raised by the families of the victims.
5. The Places of Worship Act should be implemented in letter and spirit.

CONCLUSION

The events in Sambhal on November 24th serve as a stark illustration of how narratives are constructed and weaponized to marginalize communities, particularly Muslims, within the socio-political landscape of India. The systematic branding of Muslims as “pathharbaaz” and other derogatory labels reflects a broader strategy of criminalization that is deeply embedded in the national consciousness. This narrative, amplified by both mainstream and digital media, has not only shaped public perception but has also justified state actions that disproportionately target the Muslim community.

The interplay between state mechanisms, media representation, and digital misinformation has created a feedback loop that reinforces existing stereotypes and legitimizes punitive measures against Muslims. The selective reporting of events, the omission of community voices, and the portrayal of Muslims as aggressors have contributed to a climate of fear and suspicion, effectively erasing their agency and humanity.

As the narrative solidifies, the consequences for the Muslim community in Sambhal are profound. The punitive actions taken by the state—raids, detentions, and demolitions—are framed as necessary responses to unrest, rather than as acts of repression. This transformation of the narrative into a tool of power underscores the urgent need for critical engagement with the stories that shape our understanding of communal dynamics in India.

Moreover, the situation in Sambhal highlights the necessity to challenge the larger communalization that is not merely narrative-based but manifests

through various modes, including policy decisions, social practices, and institutional biases. This broader attack on communal harmony requires a concerted effort to confront and dismantle the systemic structures that perpetuate division and discrimination.

Ultimately, the situation in Sambhal is not an isolated incident but part of a larger pattern of narrative construction that seeks to redefine the Muslim community as a problem to be managed rather than a population deserving of rights and protection. As such, it calls for a reevaluation of how narratives are formed, disseminated, and challenged in the pursuit of justice and communal harmony, alongside a robust resistance to the forces that seek to communalize and polarize Indian society.

ANNEXURE 1 - CHRONOLOGICAL SUMMARY OF EVENTS

NOVEMBER

Afternoon, 19 November 2024: Petition for the survey of Shahi Jama Masjid is filed.

3:30 PM, 19 November 2024: The filed petition is heard, and the court orders the Shahi Jama Masjid to be surveyed with a report to be submitted by 29 November 2024.

7 PM, 19 November 2024: The survey is executed peacefully. Locals had gathered and protested against it. The protestors dispersed after MP Zia Ur Rahman Barq quelled their worries.

22 November: Friday's prayers were conducted in the presence of MP Barq with heavy police deployment.

23 November: 34 people, including the father of MP Barq, were bound down on a bond of up to 10 lakh rupees on apprehension of a breach of peace.

6:30 PM, 23 November 2024: AC Ramesh Singh notifies the Masjid Committee that the Masjid will be surveyed again.

6 AM to 11 AM, 24 November 2024: The second survey is executed in the heavy presence of police called from other districts, PAC, and RA, F as well as DM Pansia, SP Bishnoi, SDM Mishra, CO Chaudhary, and Tehsildar Sonkar. Muslim locals gathered to protest against the survey spurred by a rumor that the Masjid was being excavated after locals saw water seeping from the mosque. The *wazu khaanaa*, aka ablution tank, had been drained to allegedly "measure the depth of the tank," and its water flowed outside the mosque. The survey was completed, and the team was safely escorted out. A video circulated of a mob chanting, "Jai Shree Ram", while accompanying the survey team. A member of the survey team joined the team in sloganeering.

Post 11 AM, 24 November 2024: Police used a lathi charge and tear gas to disperse the protestors. The protestors, while dispersing, started

pelting stones in defence. Policemen opened fire at the protestors. The armed personnel went in pursuit. There are reports of forces entering a house, detaining Muslims, and vandalizing their properties, including CCTVs, washing machines, mirrors, furniture, etc. Media reports circulate that 3 Muslim men have died in Sambhal while at least two dozen others, including policemen and senior officials, were injured. SP Krishan Bishnoi casts doubt on “overnight planning” within a community, implying the Muslims as responsible for violence. 13 Muslim men and 2 Muslim women were arrested for stone pelting. Police personnel and forces conducted a flag march in the wake of violence in Bareilly.

24 November: Order is circulated barring entry of outsiders in Sambhal till 30 November. Internet services are shut down for 24 hours but will be restored at 4 PM on 29 November 2024. SP blames BJP for orchestrating the Sambhal violence with the help of the administration to divert attention from electoral malpractice during the polling of by-election.

Police registered a case against him and his father, Mamluk-ur-Rehman Barq, for inciting violence during a mosque survey.

25 November: Media reports circulate updated the death count of Muslims from 3 to 5 and the arrest count of Muslims to 25. Police deny using gunshots, insisting they only used pellet guns. 7 FIRs were lodged and a total of 2500 unidentified persons were named, including MP Barq and MLA Mehmood’s son, Nawab Suhail Iqbal. Both the MP and MLA’s son have denied wrongdoing in the Sambhal violence.

25 November: Zafar Ali, chairperson of the Shahi Jama Masjid committee, accuses the police of open firing at Muslim protestors and claims that he saw no bullet being fired from the public. He is immediately summoned by police for questioning, who later denied the “politically motivated” accusations.

26 November: Police spokesperson announced that the authorities will put up posters of the accused and make protesters pay for damage to public property.

27 November: Anonymous sources have claimed that the 5 Muslims who died in Sambhal violence died from bullets fired from country-made guns, citing autopsy reports.

28 November: Masjid Committee moved SC to challenge controversial survey order. PIL filed in Allahabad JC seeking CBI probe into Sambhal violence. A 3 member judicial commission was formed to probe the Sambhal violence.

29 November: District government counsel (civil) Prince Sharma, supported by ASI, requested the control and management of Shahi Jama Masjid be transferred to ASI, as it is an ASI-protected monument. A large police presence, including RAF and drones, was deployed around the Shahi Jama Masjid to maintain order during Friday prayers. The survey team seeks more time to submit the report. SC asked the Sambhal trial court not to pass any order related to the survey of Shahi Jama Masjid till the matter is listed in the Allahabad High Court.

DECEMBER

5 December: 2 senior jail officials were suspended after they allowed the SP delegation to meet the accused in Moradabad jail.

Police were put on high alert for Friday prayers in Sambhal with the deployment of three-layered security arrangements at Shahi Jama Masjid.

SDM gave a notice to MP Barq about the illegal construction of his residence.

7 December: Police authorities admitted to firing warning shots in the air to disperse the crowd. This is a departure from the earlier position of the police, where they denied firing shots and claimed to have only fired pellet guns.

13 December: DM announced a three-month-long campaign to address the issue of illegal constructions on roads, sewers, and water bodies.

Authorities found and reopened a temple called Bhasma Shankar, also known as the Shri Kartik Mahadev Temple, that had been locked for 46 years following communal riots, during an excavation drive.

Authorities arrested and fined a local imam for using a loudspeaker at high decibels for giving the call to prayers at Anar Wali Masjid in the Kot Garvi area.

14 December: DM and SP conducted a surprise raid with power

corporation officials at 5 AM and found an illegal power house set up on the roof of the Ladaniya Mosque, supplying electricity to 100 homes. The three-hour-long raid also uncovered electricity theft in 20 homes, 4 mosques, and one madrasa.

The administration issued a second notice to MP Barq in the case of illegally constructing a house.

16 December: Local Hindus denied allegations of encroachment on the locked Mandir.

18 December: Several media outlets report that Muslim families have started demolishing their homes they had built after alleged encroachment on the Kartik Mahadev temple. One of the residents said, “At least we can salvage some of our precious things this way. If we leave the demolition to the administration, we might not be left with anything.”

19 December: Dozens of FIRs were filed against several Muslim residents of Sambhal, including MP Zia Ur Rahman Barq. The cases are of alleged power (electricity) theft. The UP Power Corporation Limited (UPPCL) has been raiding Muslim dominated areas of Sambhal and has detected power theft, leading to fines in crores. Local authorities have been facilitating the administration’s anti-encroachment and anti-power theft operations with heavy police deployment.

Police filed a case against the father of MP Barq for threatening officials of the UP Power Department during an inspection.

20 December: A man, donning a tilak on his forehead and a saffron towel around his neck, attempted to enter the Shahi Jama Masjid. He was detained for breaching the peace before being released on bail. While on bail, the same individual threatened to kill MP Barq and his father on 26 December.

The Electricity Department has fined MP Barq 1.91 crore for alleged electricity theft. The department also disconnected the power supply to his house.

Hours later, after the fine was administered, an alleged encroachment outside MP Barq’s residence in Deepa Sarai was razed with a bulldozer, with authorities claiming it to be illegal. Sambhal Municipal Board and local administration razed the stairs over a drain. Barq has applied in

the Allahabad HC praying for a stay on his possible arrest, and the plea is likely to be taken up on 27 December.

22 December: Authorities found a centuries-old stepwell in an excavation drive in the Chandausi area of Sambhal.

23 December: Police arrested Mashkoo Raza Dada, a YouTuber, for pressuring Circle Officer Anuj Kumar Chaudhary for an interview about the Sambhal violence.

28 December: UP police began constructing a police post opposite the Shahi Jama Masjid with a foundation program involving the chanting of mantras and a puja by two Brahmins.

SDM issued the third notice to MP Barq, giving him until 4 January to respond to the construction of his house without obtaining the necessary permissions.

30 December: SP delegation met the kin of victims of Sambhal violence and gave them 5 lakh.

JANUARY

2 January: Court Commissioner Ramesh Singh Raghav submitted a survey report to the Chandausi Court.

3 January: Friday prayers at Shahi Jama Masjid concluded amid heavy police cover.

Allahabad HC has given relief to MP Barq by putting a stay on his arrest in relation to Sambhal violence, but refused to quash the FIR against him.

Police investigation into a six-month-old car accident pertaining to MP Barq has been revived.

5 January: UPPCL said that they will issue a recovery certificate and request the district revenue department to collect not only the fine of 1.91 crore from MP Barq for electricity theft but also the accrued interest.

8 January: Allahabad High Court stayed proceedings of a trial court about the Shahi Jama Masjid till February 25.

9 January: The UP government has sought a detailed report about the 1978 Sambhal riots, where conflicting reports claim up to 184 Hindus

died while official records cite only 24 deaths.

10 January: SC put a stay on the execution of a notice issued by the Sambhal Nagar Palika regarding a well for two weeks, as well as on any puja or other activities at the well, and sought a status quo report. The notice referred to the well as part of a “Hari Mandir” and proposed public worship and bathing activities.

Authorities demolished property without any notice to the owner in violation of the November 13 SC guidelines in Tiwari Sarai in Sambhal, even though the owner had the necessary documents.

11 January: A committee by the name of Sambhal Kalki Dev Tirth has been founded. Its first meeting was organized with two members of Patanjali Research Centre and Patanjali University, and in the presence of local officials, including CDO, SP, ADM, CDO, SDM, Tehsildar, and Municipality EO under the chairmanship of DM. The committee aims to bring together 87 Dev Tirthas and 5 Mahatirthas with a plan to establish Sambhal on the map of tourism and pilgrimage.

13 January: Local authorities issued a notice to 12 shops near Thanewali Masjid, which the Masjid Committee claims is Waqf land, asking them to remove their structures in 24 hours or their shops would be demolished. They alleged the shops were on encroached land.

15 January: Power Corporation officials declared registration of more than 1440 cases of power theft, which include allegations against 16 mosques and 2 madrasas. They have imposed fines worth 11 crore and recovered 20 lakhs of them.

19 January: Police arrested 10 Muslims in connection with Sambhal violence, making the total arrest count 70.

20 January: A Muslim man, Irfan, died in custody at a police station. Policemen left his body unattended and fled from the area. According to Maktoob Media, “Irfan was a resident of Sambhal’s Kaggu Sarai and was detained on Sunday night. On Monday, his dead body was recovered from the Raisatti Police Station. The family alleged that Irfan died due to custodial torture.”

21 January: A judicial team visited Sambhal to investigate the November violence in Sambhal. While they did not record any statements, they received 52 applications from individuals seeking to

record their statements.

22 January: The Sambhal administration began excavating an ancient well found under alleged encroachments near Shahi Jama Masjid.

28 January: CM Yogi has claimed that Mughal General Mir Baqi demolished the temple and built a mosque in its place.

30 January: Court rejected bail pleas of 15 Muslim accused in Sambhal violence.

SDM fined MP Barq a fine of 500 for repeatedly asking for time in the case of illegally constructing his house.

FEBRUARY

1 February: Police arrested a Muslim youth, Aqeel, for causing unrest after a video of his conversation with Pakistani religious leader Mohammad Ali Mirza went viral. Police are also investigating his links with Pakistan and the protests that took place in November.

2 February: Police arrested a Muslim man named Arshad in connection with the ongoing investigation of Sambhal violence and updated the official arrest count to 74.

5 February: 41 pilgrimage sites and 19 wells recovered in Sambhal. The administration has intensified efforts to transform Sambhal into a major religious and tourist destination by using the Bandhan and other schemes.

6 February: Hindu families in Sambhal requested National Minority Commission head Iqbal Singh Lalpura, who was visiting Sambhal to assess conditions of Muslims post violence, to grant Hindus minority status in Sambhal.

14 February: Police put up posters of 74 men with their photos, whom they have named as suspects in cases related to Sambhal violence in various locations of Sambhal.

20 February: Police submitted charge sheets in six cases pertaining to Sambhal violence. They accused Shariq Seth, linked with Dawood and the Pakistan intelligence agency ISI, of orchestrating the protest. Police also arrested Gulam, an associate of Shariq Seth, who confessed to his role in the Sambhal violence and involvement in a conspiracy to murder SC lawyer Vishnu Shankar Jain.

22 February: Authorities removed loudspeakers from the Shahi Jama Masjid as part of noise regulation enforcement.

25 February: Allahabad High Court, while hearing the petition of the Jama Masjid Committee requesting permission to whitewash and clean the Jama Masjid in Sambhal, set the next hearing for 27 February.

27 February: A court rejected the bail application of 17 accused in cases related to Sambhal violence.

Allahabad HC, while hearing the petition requesting permission to whitewash and clean the Shahi Jama Masjid, urged the ASI to inspect the mosque in order to assess the requirement of whitewashing and the repair work ahead of Ramadan. The court also directed the formation of a three-member investigating committee to oversee the mosque's cleaning and ensure that the structural integrity of the mosque is maintained. Following court orders, security has been tightened in Sambhal, particularly around Shahi Jama Masjid, by deployment of police forces, CCTV surveillance, and drones.

28 February: ASI submitted a report in the Allahabad HC stating that the interior of the mosque has been painted with ceramic colour and there is no need for whitewashing it at present. Allahabad HC directed the cleaning of the mosque premises, including the removal of dust both inside and outside the premises.

MARCH

4 March: Allahabad HC, while hearing the petition requesting permission to whitewash Shahi Jama Masjid, granted time to the Masjid committee to submit its response to the objections raised by the Hindu side. The mosque committee informed the court that it had filed objections to the ASI report, to which ASI's counsel sought time to file a reply. The next date for the hearing is 10 March 2025.

Allahabad HC allows Sambhal Jama Masjid to be called a disputed mosque after the counsel for the Hindu side requested the mosque to be referred to as "disputed structure". In the court order, the term "structure of the disputed mosque" has been used.

Several media outlets reported that police are planning to approach the court to attach properties of more than 70 accused in the case of Sambhal violence. The 70 are still absconding despite the issuance of

non-bailable warrants and the putting up of their posters at various locations in town.

5 March: 38 police posts and outposts are under construction in Sambhal to strengthen law and order. These constructions will use the bricks from the stone pelting that occurred during the Sambhal violence. Sambhal Circle Officer, Anuj Chaudhary said, “If people of the Muslim community feel that the colors of Holi will corrupt your religion, then do not step out of the house that day,” “And if they want to go out of their house, then they should be big-hearted enough not to object if colour falls on them. If you go to the market and someone puts colors on you, because sometimes they will not be conscious as they drink Bhang (Cannabis drink).” As Holi fell on a Friday, Chaudhary also said, “There are 52 Jumua (Friday) in a year, but only one day for Holi. Hindus wait for Holi the whole year, just like Muslims wait for Eid”. Although his comments received condemnation, CM backed Chaudhary with the explanation that Chaudhary spoke like a pehelwan and reiterated his comments on 8 March.

7 March: Several properties, including 45 shops and a mosque, were demolished in the Chandausi area of Sambhal district.

8 March: Police removed the loudspeakers of a mosque in Punjabhiyan locality of Chandausi and booked the mosque’s Imam for violation of rules.

10 March: Allahabad High Court questioned ASI over its reluctance to allow whitewashing of Shahi Jama Masjid and directed the ASI counsel to come up with specific averments as to what prejudice whitewashing the outer walls of the mosque would cause. The court also asked the DM to produce the original agreement entered in 1927 between the administration and the mosque committee to hand over the Shahi Jama Masjid to the ASI.

12 March: Chief Minister Yogi Adityanath claimed that Sambhal existed before Islam and that the Vishnu temple was destroyed in 1526. Authorities covered ten mosques with tarpaulin in Sambhal ahead of Holi.

A Muslim boy was arrested in Muzaffarnagar for criticising CO Chaudhary’s comments on Holi in a Peace Meeting and demanding his

arrest in a social media post. While in police custody, he was compelled to issue an apology and affirm his respect for police. The apology was filmed and circulated on social media.

Allahabad High Court directed ASI to undertake and complete the whitewashing of the mosque within one week and gave permission to decorate it with lights.

13 March: The ASI team carried out measurements and assessments for the whitewashing of the mosque.

14 March: Several media outlets reported that CO Chaudhary and his family have links with the BJP and the Sangh Parivar. His brother and his brother's wife are active in the BJP, and both hold positions. Chaudhary's house has pictures of several RSS leaders in a room.

Friday prayers conclude in the Jama Masjid, and Holi celebrations take place amid a heavy presence of forces.

15 March: The ASI team arrived at the Shahi Jama Masjid with painters, but after a brief stay, they left without starting the work.

16 March: Whitewashing of Shahi Jama Masjid began after an order of the Allahabad High Court amidst objections from the Hindu side over the usage of green paint in whitewashing. The Masjid's President said, "The whitewashing work started at around 9 am. The whitewashing of the outer wall is going on. At present, 9-10 labourers are engaged in the whitewashing work. If the work has to be completed in four days, then around 20 labourers would be needed".

17 March: A senior official announced that 33 houses and a mosque may be demolished due to being constructed on municipal land.

Authorities deny permission to organise Neja Mela, a carnival held to commemorate Syed Salaar Gazi, by labelling it as treason.

18 March: MP Barq did not present any evidence, nor was any fact presented in the SDM's court to prove his residence is not a new construction or to claim that his house belongs to someone else. SDM formed a joint team to visit his house and check how old the construction is. The team will submit the report in the next three days, with the next hearing on 22 March.

19 March: Muslims seek permission to organise a Sadbhavana Mela in Sambhal.

21 March: Whitewashing of Shahi Jama Masjid concludes.

23 March: Jama Masjid Sadar Chief and Shahi Mosque Committee Chief, Zafar Ali, was detained for interrogation in connection with Sambhal violence, after which he was arrested and sent to jail. Following the arrest, police have placed Sambhal on high alert.

Authorities deployed additional police personnel from different police stations and PAC, as well as RAF, at the Kotwali, Sambha, and conducted a flag march with SP Krishan Kumar Vishnoi and SDM Pradeep Verma, where they appealed to the public to maintain peace and not pay heed to any rumor.

24 March: Police have booked Zafar Ali in the Sambhal FIR under nearly a dozen BNS sections, some of which have provision for sentence to life in jail. Local Court rejected the interim bail of Zafar Ali. Sambhal advocates protested against the arrest of Jama Masjid Committee President, Zafar Ali, with a pen down strike.

23 March: Sambhal SDM's Court pauses the investigation to determine the legality of MP Barq's house till 5 April, when Barq's appeal about the transfer of ownership would be disposed of.

24 March: PWD officials measured MP Barq's residence for approximately 40 minutes.

25 March: Police attempted to serve a notice to MP Barq for questioning, but they did not find anyone at the house.

Hours later, a team of police personnel handed a notice to Sambhal MP Zia Ur Rahman Barq at his Delhi residence, asking him to appear before the SIT for questioning about Sambhal violence on 8 April.

26 March: During a Peace Committee meeting in anticipation of Eid celebrations, CO Anuj Chaudhary said: "If you want to serve Sewaiyan on Eid, you must also eat Gujiya on Holi. They should eat Gujiya, and we should eat Sewaiyan. But the problem arises when one side is willing and the other is not. This is where brotherhood breaks down, and that should not happen."

ASP Shri Sh Chandra announced the prohibition on offering Alvida Namaz, the prayers of the last Friday before Eid-ul-Fitr, on roads and rooftops. The prayers can only be offered at Eidgahs and mosques. Similar prohibitions on offering prayers on roads have been announced

in Meerut, which, if violated, could lead to severe restrictions, including revocation of passports and licenses.

SDM Vandana Mishra also said that the use of loudspeakers has been prohibited in Sambhal. The authorities also deployed additional forces during Eid and decided to monitor conflict-prone areas via drone surveillance and CCTVs during Eid.

A heavy police contingent reached the Deepa Sarai residence of MP Barq in Sambhal with summons for questioning regarding the violent clashes in Sambhal. Barq, however, was in New Delhi. Police may travel to Delhi to give him the summons. CM Yogi said, “Muslims in Uttar Pradesh are safe only if Hindus are safe”.

27 March: Local authorities have implemented Section 163 in Sambhal and have preventively detained 1800 Muslims who could be an issue for law and order. The district court rejected the bail application of Zafar Ali, with the next hearing scheduled for 2 April.

28 March: Police also conducted a flag march outside the Shahi Jama Masjid.

31 March: Heavy security personnel were stationed in large numbers to maintain law and order during Eid-ul-Fitr celebrations.

APRIL

1 April: Police charged 5 family members of Zafar Ali while he was in custody and required them to pay 1 lakh as surety.

The Supreme Court rejected a plea challenging the permission of the Allahabad High Court to whitewash the Shahi Jama Masjid and install decorative lighting.

Lawyers marched in Sambhal condemning police for harassing Ali.

2 April: Police arrested Dilip alias Harish, a member of a gang led by Shariq Seth, for being a key figure behind the Sambhal violence.

Bail hearing of Ali was postponed to April 4 “due to the unavailability of the case diary,” while his relatives were placed under strict administrative restrictions.

4 April: The Additional District Judge Court denied bail to Zafar Ali, Jama Masjid Sadar Chief, and Shahi Mosque Committee Chief.

6 Hindus, visiting Sambhal to conduct puja in Shahi Jama Masjid, were detained by police.

Authorities increased deployment of force and police personnel in Sambhal and Moradabad for Friday prayers, in the wake of the introduction of the Waqf Amendment Bill.

Right-wing outfit, Hindu Shakti Dal, submitted a memorandum demanding an investigation into alleged links of Barq and Shahi Jama Masjid president, Zafar Ali, with Pakistan and a radical organisation.

Inquiry report on MP Barq's residence stated that a portion was built on government land without approval of the map. The Officer of the Public Works Department has recommended demolition of the parts of the constructed area.

5 April: MP Barq's case on the building was slated to be heard on 5 April.

7 April: Local authorities inaugurate a police post opposite the Shahi Jama Masjid. The post, named Satyavrat Police Chowki and constructed with stones from stone pelting during the second survey, was inaugurated with several Hindu rituals, including havan and puja. The post also sports a wall of tiles engraved with religious phrases from Hindu scriptures.

Vishwa Hindu Parishad organized a procession by the name of Sambhal Ram Navami Shobha Yatra with swords and slogans of "Jai Shree Ram".

VHP Minister also conducted a puja at Kartikey Mahadev Mandir.

8 April: Sambhal MP, Zia Ur Rahman Barq, questioned for 3 hours by SIT about Sambhal violence at Nakhasa police station.

Jama Masjid is renamed to Jumma Masjid after ASI claimed that it has the name Jumma Masjid registered in documents and made a signboard of the same name.

9 April: Former IPS officer Amitabh Thakur filed a complaint against CO Anuj Chaudhary, accusing him of violating the rules of the uniform.

12 April: Dargah Janeta Sharif in Chandausi area of Sambhal district, which hosts a four-day fair annually, is contested for allegedly being built on government land. The Tehsildar has claimed that the Dargah is not registered as Waqf land. Locals have alleged that land related to the tomb of Dada Mouazamia Shah and several other tombs in Janeta has

been illegally occupied. Villagers have also alleged that income is earned by organizing the annual fair at the dargah. Sambhal administration has ordered a probe into alleged financial irregularities related to Janeta Sharif Dargah and determining if the Dargah is on Waqf property.

13 April: Jagadguru Ramanandacharya Swami Rambhadracharya said that all temples found in the excavation drive would be taken by Hindus in Katha, a religious function organized by Shree Shyam Seva Samiti in Sambhal.

14 April: DM held a meeting of Sambhal Kalki Dev Tirth Samiti to establish Sambhal on the global map of spiritual tourism. A detailed project report was reviewed for developing Sambhal as Kalki Nagri, and emphasis was laid on the revival and development of 87 Dev Tirth Sthals and 24 Kosi Parikrama Marg.

Sadhvi Harsha Richhariya has started on a padyatra under the banner of Hindu Jodo Yatra from Mathura to Sambhal with a Shiv Puja. She was received with flowers and a crowd of Hindus in Mathura.

15 April: Local authorities started measuring Dargah Janeta Sharif under the supervision of SDM Nidhi Patel. Under the supervision of the Tehsildar, 40 bighas of encroached land belonging to a village pond was freed, and the boundary of the dargah was marked with a bulldozer. The health department, conducting a simultaneous raid with the Tehsildar, found expired medicines at a medical clinic in the Dargah complex and closed it. The annual fair of the Dargah has been cancelled due to legal uncertainty.

Zafar Ali appeared in a local court in connection with two cases – a 2018 case involving unauthorised construction and a 2020 case related to criminal intimidation and abuse.

16 April: MP Barq was questioned by the judicial commission for around four and a half hours in Lucknow.

17 April: SIT filed a 500 paged chargesheet pertaining to the murders of two men in Sambhal violence. Sambhal residents, Ghulam Shah and Mulla Afroz, who have both a criminal past and purported links with Shariq Seth, have been charged with the murders. Police claimed to have seized a large quantity of weapons and other suspicious items after their arrest. The arrested is believed to have said during interrogation

that the supply of weapons was carried out at the behest of Satha, who was providing instruction from the UAE. Police also recovered bullets reportedly manufactured in Pakistan and the US, suggesting external links.

18 April: SIT officials questioned MP Barq for three hours at Nakhasa police station.

19 April: CO Anuj Chaudhary has been given a clean chit for his controversial statement about Holi and Jumma Namaaz.

Police sealed a hospital inside Janeta Dargah after its staff were unable to furnish documents proving valid documentation.

20 April: Seven people have been arrested in Sambhal in connection with posters bearing “Free Gaza, Free Palestine” messages appearing on the walls of shops in Narauli town.

Police seized properties worth 2.31 crore belonging to Shariq Satha and his associate Sikander, members of the auto lifters gang involved in the Sambhal violence. The confiscated land, purchased illegally in the names of the wives, will now be used for public welfare.

21 April: Police arrested Mohd Asif for involvement in the Sambhal violence. A total of 83 people are under arrest currently. Asif allegedly told cops during interrogation that when a crowd gathered at the Hindu Pura Kheda and Nakhasa crossing on November 24, he set fire to police vehicles and pelted stones and bricks “to attack and kill” police personnel. Asif has been sent to jail.

A 50-year-old well has been excavated in Sambhal using a bulldozer.

Authorities have started a beautification campaign in Sambhal to make it a tourist-friendly city for Hindu pilgrims.

SIT filed fresh chargesheets in 2 murder cases linked to the deaths of two men who were among five people killed on 24 November. Sambhal SP said Waris was charged with the murders, Ghulam was named for supplying weapons, and Mulla Afroz was accused of criminal conspiracy.

23 April: Authorities are set to demolish a mosque and a portion of a temple encroaching on a Public Works Department road. SDM Vandana Mishra stated that a recent land survey had revealed the encroachments on the road. She also professed that unauthorised commercial activity

was being conducted on a nearby land by a Muslim while land for a primary school was being used to run a madrasa.

News reports say that the UP government is set to not spare the mastermind of Sambhal violence, Shariq Seth, and there are preparations to bring him back from abroad.

The case of illegal construction on MP Barq has been transferred to the City Magistrate from the SDM. The hearing of 23 was postponed due to a condolence by the Bar Association in the Pahalgam terror attack. The next hearing will be on 29 April.

28 April: Allahabad High Court adjourned hearing the Shahi Jama Masjid dispute till May 5 after ASI sought more time to respond.

29 April: The Supreme Court gave Shahi Jama Masjid two weeks to respond to a status report filed by the Uttar Pradesh government stating that a disputed well stood completely outside the mosque premises, contrary to what the Muslim side had said in the apex court earlier. The mosque side said that the well was covered on top with cement. The court concluded its hearing by suggesting that both parties resolve the issue through talks. “You (the mosque management) are using the well; let others also use the well,” Chief Justice Khanna remarked at one point.

30 April: A news report without quoting any source says that a grand Parikrama Marg will be developed on the lines of the Vrindavan model. It would be 48 kilometres long and provide devotees an easy way to visit major temples of the city. A land of 46 kilometres would have to be acquired to develop Sambhal as the city of Kalki Avatar.

MAY

1 May: Former IPS Amitabh Thakur, who had complained against Anuj Chaudhary, raised allegations about the closing of the investigation against him. He claimed that such an investigation could not be closed until the complainant’s side is heard.

3 May: Sambhal CO Anuj Chaudhary was transferred to Chandausi.

5 May: In the Allahabad High Court, the ASI counsel filed his counter affidavit and survey report, on which the masjid committee was granted time to file a rejoinder with the next hearing slated on 13 May.

Election in-charge of the BJP described Sambhal as critical for the BJP in all yards tick. He delineated, “Sambhal is one of the districts that faced riotous violence time and again throughout history, now for the first time, communities which suffered have been able to articulate concerns and political consciousness. The city is bound to become one of the beacons of articulating civilizational consciousness and critical for the BJP in all yardsticks”.

The bail plea of an accused in the Sambhal violence was heard, in which the court fixed the next date as 9 May. Till date, 142 bail pleas have been rejected.

Former IPS officer Amitabh Thakur submitted evidence against CO Anuj Chaudhary.

6 May: The Special Investigation Team of UP Police questioned Suhail Iqbal, son of Sambhal SP MLA Iqbal Mahmood. He is one of the accused in the 12 FIRs Sambhal police have filed in relation to the post-survey violence of 24 November. He was questioned, under section 35 of BNS at Sambhal Kotwali on allegations of inciting the crowd, for over 5 hours. He is again called for questioning on 8.

7 May: The Local court of Sambhal issued a notice to Rahul Gandhi and sought his response over his alleged utterances where Gandhi had alleged the BJP and the RSS had “captured every institution of the country” and added, “We are now fighting the BJP, the RSS and the Indian state itself.”

8 May: Allahabad High Court granted conditional bail to 3 individuals accused of stone-pelting and damaging public property on 24 November. The Court observed that their names were not included in the FIR, their roles were not clear, and they were not arrested at the scene, nor identified through CCTV footage. The three had been in jail since 19 January. The defence counsel argued that the three accused are named in multiple cases, but they have secured bail in one case each.

Suhail Iqbal, son of Sambhal MLA, appeared before the SIT to record his statement about the 24 November violence.

13 May: Allahabad High Court reserved its judgment on the Shahi Jama Masjid dispute.

14 May: The process to make Sambhal a pilgrimage site has begun.

Authorities have submitted a vision plan similar to that of Ayodhya, asking the government for 250 crores in the first round.

The government has ordered to establishment of new police stations in Babrala and Raisatti areas of Sambhal district.

6 bail applications of the accused in 24 November cases were rejected in a local court.

The case of MP Barq has been deferred to 26 May. More than one news outlet reported that Barq has been given multiple notices and time to respond.

15 May: Azad Jannat Nishan Girls Higher Secondary School was demolished on 15 May at 11 AM in the morning. This is a recent development pertaining to the land, which had been earlier repossessed to 3 Hindu families by local authorities. The 3 families had left the land and migrated after the 1978 riots. This development could be documented due to the presence of lawyers on the ground in Sambhal.

The court has begun preparations to formally charge 50 accused in a case about Sambhal violence, thus clearing the way for a court trial. ADJ Ragini Singh gave the order to formally charge 50 accused in the evening after rejecting discharge applications by some accused.

16 May: Friday prayers were held peacefully under the deployment of a heavy police force.

18 May: Police arrested another accused, Sher Mohammad, in the Sambhal violence. They prepare to confiscate the houses of 5 accused who are still absconding and have dispatched non-bailable warrants against them. 85 individuals remain incarcerated for the November violence in Sambhal.

Land has been purchased for establishing the 24th PAC battalion in Sambhal. This battalion will be shifted from Moradabad and established in Sambhal. This is being done to strengthen the security system of the district.

Meeting held in Shri Kalki Vishnu Temple was attended by many, including Mahant Rishiraj Giri, who claimed, "I had talked to Yogiji about the Harihar temple of Sambhal, I feel that very soon the doors of the Harihar temple will open. When the doors of the Harihar temple open, no one has the power to take the headquarters from here.

The headquarters is as important for Sambhal as the Harihar temple. The whole country is watching the Harihar fight. If something new is happening, then the people of Sambhal should do something new. Israel is a small country, and it has been told to the whole world, you should also become like Israel. Give training to every child, be it a girl or a boy, and do something new in Sambhal.” Mahant also said that there is a lot of army land towards Kailadevi, if the army wants, it can build it: “We went for Harihar temple and tried to make it a temple very soon, that mosque will appear in front of your temple and all of you will get the darshan of Lord Harihar. Harihar Mandir is not a court battle; it is the battle of every Sanatani. Hindus will not migrate anywhere. The Hindus who migrated from Sambhal will regret it. The minorities in Sambhal will convert to Sanatan Dharma by the grace of God, or else they will migrate. I believe that only Sanatanis will remain in Sambhal.”

High Court rejects review petition by the Masjid side, imploring the court to recognize that the local court had acted hastily and without giving opportunity to the Masjid side to hear them.

1. Survey order copy

[illegible]

2. Some pages from the FIR Copies

N.C.B.R. (एन सी बी आर) की
LL.F. (एल एफ डी एन सी बी आर)

FIRST INFORMATION REPORT
(Under Section 173 B.N.S. & 173 Cr.P.C.)

द्वारा सूचना रिपोर्ट
(धारा 177 की पंथ पर एफ के तहत)

1. District/Unit (जिला/एकरी): **अजमेर**
P.S. (पोस्ट): **सामा**
FIR No. (एन.पी. नं.): **0304**
Date & Time of FIR (दिनांक व समय): **24/11/2024 14:05**

2. S.No. & Acta (अधिनिषेध): **Sections (धाराएं)**

1	प्राथमिक गैरव्यवहार (प्राथमिक गैरव्यवहार)	2023	191(2)
2	प्राथमिक गैरव्यवहार (प्राथमिक गैरव्यवहार)	2023	191(3)
3	प्राथमिक गैरव्यवहार (प्राथमिक गैरव्यवहार)	2023	190
4	प्राथमिक गैरव्यवहार (प्राथमिक गैरव्यवहार)	2023	193(1)
5	प्राथमिक गैरव्यवहार (प्राथमिक गैरव्यवहार)	2023	121(1)
6	प्राथमिक गैरव्यवहार (प्राथमिक गैरव्यवहार)	2023	223
7	प्राथमिक गैरव्यवहार (प्राथमिक गैरव्यवहार)	2023	223
8	प्राथमिक गैरव्यवहार (प्राथमिक गैरव्यवहार)	1932	7

3. a) Occurrence of offence (अपराध की घटना):

1. Day (दिनांक): **24/11/2024**
Time Period (समय अवधि): **पहर 4**
Time From (समय से): **11:00 बजे**
Time To (समय तक): **11:00 बजे**

S.No. (क्रम): **1**
100-150 का
जुड़ा

8. Reasons for delay in reporting by the complainant/informant (अपराधकारी/सूचनादाता के कारणों से देरी के कारण):

9. Particulars of properties of interest (सूचनादाता के सम्पत्तियों के विवरण):

S.No. (क्रम)	Property (सम्पत्ति का वर्णन)	Proximity (समस्या का वर्णन)	Value (मूल्य)
1

10. Total value of property (सम्पत्तियों का कुल मूल्य): **...**

11. Inquest Report / U.D. case No. / any other relevant report (प्राथमिक/प्राथमिक/प्राथमिक): **...**

S.No. (क्रम): **...**

12. First Information Sections (प्राथमिक सूचनाएं):

...

[illegible]

N.C.R.B (एन.सी.आर.बी.)
I.I.F.-I (एकीकृत जाँच फॉर्म)

S.No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)
1	800-900 अज्ञात अभियुक्त			1. ज्ञात नहीं, सम्भल, उत्तर प्रदेश, भारत

Reporting by the complainant/informant

"800-900 unknown persons"

3. Copy of some pages of the FIR filed against Sambhal MP Zia Barq.

N.C.R.B (एन.सी.आर.बी.)
I.I.F.-I (एकीकृत जाँच फॉर्म)

FIRST INFORMATION REPORT
(Under Section 173 B.N.S.S.)
(धारा 173 बी एन एस एस के तहत)

1. District/Unit (जिला/इकाई): सम्भल
P.S. (धारा): सम्भल
FIR No. (प्र.सं.): 0335
Date & Time of FIR (प्र.सं.): 24/11/2024 11:20
Year (वर्ष): 2024

S.No. (क्र.सं.)	Acts (अभिनियम)	Sections (धाराएँ)
1	भारतीय न्याय संहिता (सी एन एस), 2023	191(2)
2	भारतीय न्याय संहिता (सी एन एस), 2023	191(3)
3	भारतीय न्याय संहिता (सी एन एस), 2023	190
4	भारतीय न्याय संहिता (सी एन एस), 2023	221
5	भारतीय न्याय संहिता (सी एन एस), 2023	132
6	भारतीय न्याय संहिता (सी एन एस), 2023	125
7	भारतीय न्याय संहिता (सी एन एस), 2023	324(5)
8	भारतीय न्याय संहिता (सी एन एस), 2023	196
9	भारतीय न्याय संहिता (सी एन एस), 2023	223(b)
10	सार्वजनिक संपत्ति नुकसान निवारक अधिनियम, 1984	3
11	सार्वजनिक संपत्ति नुकसान निवारक अधिनियम, 1984	5
12	भारतीय न्याय संहिता (सी एन एस), 2023	320(f)

N.C.R.B (एन.सी.आर.बी.)
I.I.F.-I (एकीकृत जाँच फॉर्म)

S.No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)
1	विजयलक्ष्मी देवी			1. ज्ञात नहीं, सम्भल, उत्तर प्रदेश, भारत
2				
3	800-900 अज्ञात			

8. Reasons for delay in reporting by the complainant/informant (रिश्तेदारों / सूचकों द्वारा रिपोर्ट होने में देर बनाने के कारण):
9. Particulars of properties of interest (संबंधित संपत्ति का विवरण):
10. Total value of property (संपत्ति का कुल मूल्य):
11. Inquest Report (I.D. case No., if any) (पंचनामा रिपोर्ट / यू.डी. केस नं., यदि कोई हो):
12. First information contents (प्रथम सूचना तथ्य):

"700-800 unknown people"

N.C.R.B (एन.सी.आर.बी.)
I.I.F.-I (एकीकृत जाँच फॉर्म)

नमाज अदा करने के उपरान्त बिना प्रशासनिक अनुमति के भीड़ एकत्रित कर भड़काऊ बयान बाजी की गयी थी, और राजनैतिक लाभ लेने के लिये साम्प्रदायिक सौहार्द विगाड़ने के लिये भीड़ को उग्र किया गया था। सर्वे की कार्यवाही को बाधित करने के उद्देश्य से आज आयी भीड़ में मौजूद [REDACTED] निवासी मोहल्ला मिया साराय धाना सम्भल आदि द्वारा भीड़ को यह कहकर उकसाया गया कि जियाउर्रहमान बर्क हमारे साथ है, हम लोग भी तुम्हारे साथ हैं, हम तुम्हारा कुछ नहीं होने देंगे अपने मनसूबों को पूरा करो इस पर उक्त भीड़ और अधिक उग्र हो गयी। उग्र भीड़ को मुख उठाने से अवगत कराते हुये सर्वे की सम्भल व मौजूद पुलिस बल द्वारा मा0 न्यायालय के आदेश से अवगत कराते हुये सर्वे की कार्यवाही को बाधित न करने की अपील की गयी, लेकिन उक्त भीड़ द्वारा और उग्र होकर नारे बाजी शुरू करते हुये कारसरकार में बाधा डाल दी एवं विध्वंसक क्रियाकलापों के द्वारा पुलिस बल पर पत्थरबाजी एवं तोड़-फोड़ तथा पुलिस के वाहनो एवं अन्य वाहनो को आग के हवाले कर क्षतिग्रस्त करने तथा सार्वजनिक सम्पत्ति को क्षति कारित करने एवं दुकानों को क्षतिग्रस्त करते हुये आग के हवाले किया गया एवं उक्त भीड़ में से किसी अज्ञात उपद्रवी द्वारा [REDACTED] क्षेत्राधिकारी सम्भल पर जान से मारने की नियत से फायर कर दिया जो उनके के दाहिने पैर में लगा परिणामस्वरूप क्षेत्राधिकारी सम्भल घायल हो गये। उक्त घटना के सम्बन्ध में रिपोर्ट दर्ज कर कानूनी कार्यवाही करे। दिनांक-24-11-2024 हस्ताक्षर अपडित 24.11.24 [REDACTED] धाना कोतवाली सम्भल जनपद सम्भल नोट: मैं एच.एम. [REDACTED] प्रमाणित करता हूँ कि प्रार्थना पत्र की नकल व मुकदमे की कायमी मेरे द्वारा पढकर व बोलकर सीसीटीएनएस पोर्टल पर [REDACTED] से कारायी गयी है।

4. Copy of the court order stating that the Azad Jannat Nisha School is not being demolished and if it is to be demolished, this will be done “only after adopting a due process of law.”

Neutral Citation No. - 2025:AHC:96542-DB

Court No. - 10

Case :- WRIT - C No. - 19551 of 2025

Petitioner :- Azad Jannat Nisha School

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- [REDACTED]

Counsel for Respondent :- C.S.C.

Hon'ble Siddhartha Varma,J.

Hon'ble Harvir Singh,J.

1. Heard learned counsel for the petitioner and learned AGA for the State.

2. This writ petition has been with the following prayer:-

(i) issue a writ, order or direction in the nature of mandamus directing/restraining the respondents authorities no. 2, 3 and 4 not to demolish the school building of the petitioner.

(ii) issue a writ, order or direction in the nature of mandamus directing the respondent no. 2, 3 and 4 not to interfere in peaceful possession and function of institution.

(iii) issue any other and further suitable writ, order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.

(iv) award the cost of the petition in favour of the petitioner.

3. Learned Standing Counsel Sri Gopal Saxena states that the petitioner has filed the instant writ petition on absolutely baseless apprehension and that there is no plan of the Government to demolish the constructions in question and he submits that if any demolition would be done, it shall be so done only after adopting a due process of law.

4. The writ petition is, accordingly, disposed of.

Order Date :- 12.6.2025

PK

(Harvir Singh,J.) (Siddhartha Varma,J.)

by signed by :-
EUNI KUMAR
Court of Judicature at Allahabad



ASSOCIATION FOR PROTECTION OF CIVIL RIGHTS

📍 E-57/1, 4th Floor, The Scholar School, Abul Fazal Enclave-1, Jamia Nagar, New Delhi-110025

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Contribution: ₹ 200/-