

# INDIA GETS FIRST WITNESS PROTECTION SCHEME

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The Supreme Court on Wednesday brought in place a witness protection regime in the country noting that one of the main reasons for witnesses turning hostile is that they are not given security by the State.

A Bench of Justices A.K. Sikri and S. Abdul Nazeer said Witness Protection Scheme, 2018 will come into effect immediately across all States.

Under it, witness protection may be as simple as providing a police escort to the witness up to the courtroom or, in more complex cases involving an organised criminal group, taking extraordinary measures such as offering temporary residence in a safe house, giving a new identity, and relocation at an undisclosed place.

The top court said the scheme, which aimed to enable a witness to depose fearlessly and truthfully, would be the law of the land till Parliament enacted suitable legislation.

## Asaram Bapu case

The issue came up when the Supreme Court was hearing a public interest litigation plea seeking protection for witnesses in rape cases involving self-styled preacher Asaram Bapu.

The Bench said witnesses feared serious consequences if they deposed against Asaram. "It is alleged that as many as 10 witnesses have already been attacked and three witnesses have been killed," it noted.

There are four petitioners in the case before the top court. These include a witness, father of a murdered witness, father of the child rape victim and a journalist who escaped a murder attempt by goons of Asaram and his son Narayana Sai.

The apex court said that due to the lack of a scheme till now, witnesses neither had any legal remedy nor do they get suitably treated. "The present legal system takes witnesses completely for granted. They are summoned to court regardless of their financial and personal conditions," it said. The court directed all States and Union Territories to set up witness deposition complexes in all the district courts in India within a period of one year.

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