

# Media, The Backbone Of Democracy: A Case Study Of Jessica Lal Murder Case

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*Abstract: Democracy is defined as a form of government in which power ultimately resides in the hands of the people of the country through a system of election. The paper takes a leap to the past case of the murder of Jessica Lal, a model cum barmaid, who was shot dead. The case is a sheer archetype of Indian Judiciary's act of safeguarding the hands exercising dominance over power and money. The case kindled the outrage of the media and public hitherto the court verdict the final sentence. The paper endeavors to analyze the influence media had on the upbringing of the case, with reference to Raj Kumar Gupta's movie No One Killed Jessica, released in 2011. The final verdict of the case was much overjoyed by the public and media as their success on bringing out justice.*

## I. INTRODUCTION

The relation between media and democracy lies deeply related and inter connected in a democratic country like India. As the Preamble of the Indian Constitution grants the people of India the "Liberty of thought, expression, belief, faith and worship" and "Equality of status and of opportunity", its our right to express our views and opinions for or against something. But most of the times, this right is unconditionally withheld and abnegated. Its quite ironical and deplorable when such a condition occurs in the largest democratic country in the world. The people's representatives are not fairly chosen to enjoy the power they are granted by the common man; but to safeguard and protect the rights and equality of the people. However, the status has under gone an implausible change that all the rights and duties each citizen of India should harmoniously experience and practice is pulled to the tough magnetic power in the hands of the wealthy, the influential and the powerful.

In Article 19, the Indian Constitution guarantees the Freedom of speech and expression, in which lies the power of media. Mass media does not just stand for encircling the news. It is genuinely opening a way of communication among people across various strata of the society. In a democratic country, what the media speaks out is in fact the voice of the

common man. When justice, equality and freedom is seized away from the public, media communicates for them. The Jessica Lal murder case in Delhi that stirred a huge wave of mass protest with the support of media is literally and precisely a representation of the partiality exhibited by the governing system among the powerful and the incapable. India witnessed the most shameful judgment ever in February 2006 when the culprit, Manu Sharma, son of Venod Sharma, a cabinet minister then, was acquitted in the lower courts, with the explanation of fail in the submission of proper witnesses and evidences.

The case finally received its deserved judgment from the Supreme Court on April 2010. The life time imprisonment sentenced for Manu Sharma was the key result of the attempts of the country's whole media clan which stood upholding the truth Jessica's family had to bring out to the senses of the public and the judiciary. The Hindi movie *No One Killed Jessica* written and directed by Raj Kumar Gupta in 2011, unfolds this case and clearly portrays the inevitable role played by the media in creating a huge mob outcry resulting in the quick judgment. The character Meera Gaiti carried out by Rani Mukerjee, stands as a prototype of media and Vidya Balan plays the role of Sabrina Lal, sister of Jessica Lal who dedicated her whole life for the achievement of the right

verdict for her sister's murderers. The film has received wide critical appreciation and awards under many categories.

## II. AN OUTLINE OF THE CASE

Jessica Lal was a model in Delhi who worked as a barmaid in the Tamarind Court restaurant in Mehrauli, southwest to Delhi, run by Bina Ramani. The 34-year-old model was engaged in her usual work in the night of April 29, 1999, along with her fellow employee Shayan Munshi, later turned an actor, for a party for almost 300 people. The bar was officially closed after 11p.m when Manu Sharma along with his three friends approached Jessica and Munshi for a drink. Sharma was left in despair by Jessica telling that the bar timings were over. Later, again at 2a.m Sharma approached the bar, offering 1000 rupees to Jessica. He was raged by her still stubborn attitude which then led to a verbal conflict between the two. Sharma, boiled on the sharp replies of Jessica, shot her twice with his pistol. The former to the ceiling of the bar as a warning for her and the next on to her forehead for her infuriating responses. The scene was witnessed by Munshi, Ramani and the other employees present in the room as well as by the 300 people who came for the party. Sharma and his friends left the plot immediately after the firing. Jessica was immediately hospitalized but was reported dead within a few hours.

A case was filed in the court on August 1999 with Manu Sharma as the main convict, followed by his friends. The pistol and the vehicle used by the convicts were recovered by the police and an FIR was filed by the police with Munshi as the main witness, along with others including the owners of the bar. Albeit the confessions Sharma did to the police, the chances of his acquittal were high as one after another, the 300 witnesses who were reported to be present in the bar declared that they had left the place early, not witnessing any shoot. In addition to this, the few among the six or seven witnesses who stood firm on their words till the cross examination too changed their foot. This is where we come across the influence of power and money has even on the ultimate judiciary system. Venod Sharma's influence on the supreme hands of power and judiciary of the country paved a smooth current to bribe the witnesses from disclosing the truth. The major eye witness of the case, Shayan Munshi, was offered almost a crore for his promise in return of turning hostile in the court room. He declared that he was unknown to Hindi in which the FIR of the case had been filed. He also added that it was due to the police pressure that he had to sign in the charge sheet as the prime witness.

This upside down flipping of evidences was further followed by the ballistic expert P. S. Manocha, who replaced the bullets recovered by the police from Sharma's pistol found in his Tata Safari car. The bullet that was reported from Jessica's body was produced from a 0.22 calibre pistol. The same was recovered by the police from the car but was brilliantly taken over by the ballistic expert who was a helping hand of Mr. Sharma. The failure of submission of this main evidence in the court by Jessica's family led to the effortless discharge of Manu Sharma in the trial court on 21 February 2006.

## III. THE ROLE OF MEDIA IN THE CASE

The trial court's decision on acquitting Manu Sharma incited massive public clamor and outcry. The constant and laborious hard work by Sabrina Lal, Jessica's sister and her friends to bring out the convicts to the front of the law system along with the valid evidences and the 300 witnesses turned futile with the bail of Sharma and his friends. In the movie, we find a very clear depiction of this instant. Sabrina's character played by Vidya Balan speaks to the media "Someone with a pistol in his hand and power in his head decided that her (Jessica's) life was cheaper than a glass of his drink". A question of "Is one's life less cheap than a drink?"<sup>(1)</sup> is awakened in our minds on hearing this.

The plight of the case is then taken through by the media people and thereby by the public. The attempt made by *Tehelka*, a New Delhi based magazine initiated the reconsideration of the case by bringing out the alleged and illegitimate practices done by Venod Sharma. This venture of unveiling the truth laid latent to the public was then pushed on by the broadcast media channels like NDTV as they could make a quick reach to the people. Their pursuit primarily included confession of the major witness Shayan and for this, a fake interview was cooked up by the journalists. Shayan was made to be a part of this session with a panel of 'producers' of a film and was made to speak in Hindi so as to break his alleged statement of being unknown to the language. Subsequently, the other main witnesses who turned hostile in the court were also focused on and cracked the truth of their acceptance of huge bribes from Sharma's father. Also, the confession of Manu Sharma to the police during his inquiry session was brought to the light thus demanding no more documentation and confirmation for the people to volunteer for Justice for Jessica.

Public protest in many a different ways that unanimously commanded for her justice was witnessed thereafter as the common people were no more ready to remain as a watchdog. *Justice for Jessic Movement* was the label given to the protest. A group of people started the Middle Finger protest but the most considerable movement was the Candle Light Vigil organized by the Delhilites at the India Gate. Though the march was tagged filmy by many, it was a sheer outpour of disappointment and anger of the common man on the judicial system of our country.

The police, unbearable of the public pressure, had to appeal to the High Court for further investigations, thus reopening the case. With proper evidences and confessions of the witnesses, all the loopholes for Sharma's acquit was shunned. The High Court after hearing all the trials, finally pronounced Manu Sharma and his friends guilty of the crime with a lifetime imprisonment and a penalty of 50,000 INR and a four year prison term with a forfeiture of 3000 INR respectively. Justice was thus irrevocably awarded to Jessica and her family when the apex court too upheld the conviction and life term prison term for Manu Sharma. Shayan Munshi, who played Judas in the court was also taken in consideration by the court and sentenced hearing a perjury case against him and as well as for the ballistic expert, P.S.Manocha who replaced the cartridges.

#### IV. MEDIA AND DEMOCRACY

Most of the countries, including India, guarantee Freedom of Press by law. They own full freedom to excavate the happenings around and beyond our eyes and exhibit it in its very crude form. Media should be a guidance to the truth-seeking public that would unravel the flaws practiced by the system standing for the protection and development of the people. The needful attention and study for the laymen's worries are made avail only when media take its role. Hence, media is the backbone of a common man's democratic country.

According to the DNA News reports, when Sabrina Lal saw Manu Sharma walk free in the murder trial, she knocked on the media's door in a final act of desperation. "We are not influential people", says Sabrina. "We have no great contacts and no great money either. It was the power of the media that enabled us to get justice. When all the doors were shut on our faces, it was the media that came to support us." The retired High Court judge R.S. Sodhi who had delivered the HC verdict says "I am happy that my judgment has found favor with the Supreme Court. It was the media that brought it to our attention that this case had been lingering on for such a long time".

The huge leap in the development of technology also emphasized the advancement of Jessica's case. The wide spread SMSs through the cell phones of the people was the sole reason for that huge vigil at the India Gate. Also the e-mails received by the channels as their response to the media's campaign on the case too underlines the effects the developing technology had on the generation. The development in the case of broadcast media made the audiences more active. The real judging capacity of the audiences were nurtured by the channel talk shows and other such discussions. Channels like NDTV produced the various sides of Jessica's case by bringing out the opinions of many public figures who favored and neglected the reopening of the case file. A news "is not the event which is reported that determines the form, content, meaning or 'truth' of the news, but rather the 'news' that determines what it is that the event means". The power what the media and the press own is nothing when it has no power and support from its audiences and readers.

Apart from the print and broadcast media, a great impact can be made in the minds of the people through the means of movies. Films are a craze for almost everyone. In that sense, films too act as a best media to propagate the social ideas. Such films, generally tagged as the 'social films' do receive appreciations for evoking our latent consciousness. It should be offered in such a way that the film puts forward a social cause in its raw form. Adulteration in social films is equivalent to fooling the viewers. The 2011 released Hindi movie *No One Killed Jessica*, purely based on the Jessica murder case, clearly depicts all the incidents in the case without any exaggeration or concealment. Director Raj Kumar Gupta has taken charge of the script work too. "*No One Killed Jessica* is a film that unleashes a myriad emotions in you. The hard facts of modern India's most written about case are well known by almost everybody but the director's Raj Kumar Gupta's dramatic handling of the crime, the criminals, the crusaders and the victim creates a storm once again".

#### V. CONCLUSION

It can be thus concluded that "press is the vocal organ of mass expression" that plays its level best in substantiating the priority of the 'citizens' of the country. Jessica Lal murder case is an erect illustration of the partiality followed by the law system of India for ages. The dominance possessed by the rich and the powerful lay its gigantic hands on the country's whole democratic system and moulds the laws according to their needs, mesmerizing the judiciary and deceiving the naïve people with their huge sacks of money. Jessica stands as a prototype of all those cases that leave out the court room without receiving the right judgment. The media ethics itself takes into account the concepts of "objectivity, accuracy, truthfulness or the non-misrepresentation of facts and the right of reply and of correction". Until and unless this democratic country becomes the one in its actual form, this polarity in the view of the government among the powerful and the weak will exist. Let the media do their duty in carving out a people's own country. "The freedom of the journalist is 'according to the definition of a high judge', an ordinary part of the freedom of the subject, and to whatever length the subject in general may go, so also may the journalist, but apart from statute law his privilege is no other and no higher. No privilege attaches to his position".

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