

# The Trial of Diwan Mul Raj

At length Mul Raj appeared with his brothers, Sham Singh and Ram Singh, and several of his Sardars, riding on an Arab charger, covered with a rich scarlet saddle cloth. He was gorgeously attired in silks and splendid arms. He looked round without the smallest emotion and showed in his countenance neither defiance nor dejection but moved along under the general gaze like a man conscious of deserving the admiration of even his enemies for having done his duty to the last.

The road was now clear for the annexation of the Punjab. On February 21, a month after the fall of Multan, the Sikhs laid down their arms at Rawalpindi. On March 29, 1849, the Punjab became a part of the British Empire.

One of the first acts of the new administration, in relation to the affairs of the province, was to put Mul Raj on trial for the murder of Mr. Vans Agnew and Lt. Anderson. It was difficult to see under what law, municipal or international, this could be done, but legal technicalities were not allowed to stand in the way of a trial. Godar Singh, the actual murderer of Vans Agnew, over by Major S. Poole of the 1st Regiment Light Cavalry, convicted and hanged. Public interest, however, centred round the trial of Mul Raj. From every point of view, it was a *cause celebre*.

The trial was held in the famous precincts of the Diwan-i-Am of the Lahore Fort. The Commission appointed for the purpose was under the authority of the Governor-General and consisted of Mr. C.G. Mansel, President and Mr. R. Montgomery and Lt. Col. Penny of the 2nd Bengal European Regiment as members. The counsel for the prosecution was Mr. Loring Bowring, the assistant to the Board of Administration.

There was some difficulty in finding a suitable counsel for the prisoner. The Governor-General desired that the accused should be defended by a 'native agency', probably not wishing it to be suspected that a British officer had wittingly or unwittingly helped the prosecution. Accordingly, efforts were made to secure the services of Raja Dina Nath and Diwan Ratan Chand but they declined on the ground of pressure of work. Efforts were then made to secure the services of a suitable British officer and Mr. John Lawrence and Herbert Edwardes were both approached, but without success. Captain Hamilton of the 34th Native Infantry, who was acting as a Deputy Commissioner in the Punjab, was next approached, and, fortunately for the prisoner, accepted. Although Captain Hamilton was by profession a soldier, and had no legal training, the conduct of the Diwan's defence could not have been in better hands, nor could he have found a more earnest and ardent an advocate of his case.

The Commission assembled for the first time on the morning of May 31, and held more than nineteen sittings. The proceedings were public and a large gathering witnessed the trial from day to day. The Diwan was present throughout the long trial, and from contemporary accounts, stood the ordeal with great fortitude.

The trial commenced by the reading of the Commission of the Governor-General convening the Court and the charges upon which

Diwan Mul Raj was arraigned to wit:

Charge No. 1. That he, the said Diwan Mul Raj, late Nazim of Multan, did positively enact and instigate the murder of Mr. Patrick Alexander Vans Agnew, late of the Bengal Civil Service, and of William Anderson, late Lieutenant in the 1st Regiment, Bombay Fusiliers which murder was committed at Multan on or about the twentieth day of April, 1849, by the troops and followers of the said Diwan.

Charge No. 2. That he, the said Diwan Mul Raj, late Nazim of Multan, was an accessory, before the fact, to the murder by his troops and followers of the said Patrick Alexander Vans Agnew and William Anderson, and that he approved of the act and the murders.

The Court then enquired of the prisoner: "How say you, Mul Raj, are you guilty, or not guilty of the charges against you?"

The prisoner made a reply in firm terms: "Not guilty."

Mr. Loring Bowring then opened the case for the prosecution, in the course of which he indicated the following main features of the case against the prisoner:

I shall now proceed to show, by the evidence, that will be brought before you, that Diwan Mul Raj, too late repenting of his wish to resign his position as Nazim, prepared himself to resist the transfer of Multan, and that it was his instigation and device that the outbreak took place, which cost the lives of Messrs. Agnew and Anderson, and plunged the Punjab into a war. I will bring forward, in succession, the various points which tend to prove the complicity of the Diwan and which will be attested to by the witnesses for the prosecution.

I shall commence by proving that before the arrival of the Lahore troops at Multan, symptoms of a refractory spirit had shown themselves there, and that difficulty was found, in consequence, by the Lahore party in procuring supplies on the road.

I shall then show that Mul Raj neglected the customary forms of civility; that he did not present himself, as is customary to receive the British officers on their arrival; that no salute was fired in their honour; and that on his first visit, he treated Sardar Kahan Singh, the new Nazim, with marked disrespect. To pass on to the first assault on the British officers I shall show that one Amir Chand wounded Mr. Agnew; Mul Raj's conduct was totally opposed to what humanity or common attention would dictate.

Instead of making any attempt to assist that officer and bind up his wounds or to direct the seizure of the treacherous sepoy, the Diwan pressed on his horse, and made at full speed for the Am-Khas, where he was then residing. It cannot be said that he was alone and unable to assist Mr. Agnew, for he had more than two or three hundred men at his back, ready to execute his every order.

to be continued...

न्यायपालिका में व्याप्त भ्रष्टाचार पर बहुत सारे जागरूक नागरिकों एवं अधिवक्ताओं ने न्यायिक अधिकारियों, जजों/ कर्मचारियों के भ्रष्टाचार, अवैध सम्पत्ति तथा विधि विरुद्ध कार्यों से सम्बंधित सामग्री भेजी है।

जिसका प्रकाशन हम आगामी अंको में इनका वेरिफिकेशन करने के बाद करेंगे।

आपसे अनुरोध है कि जो भी शिकायत/ सामग्री आप भेज रहे हैं उसका प्रमाण अवश्य भेजें। प्रकाशन सिर्फ सप्रमाण भेजी गयी सामग्रियों का ही होगा।

हमारा उद्देश्य न्यायपालिका को भ्रष्टाचार मुक्त करना है न कि किसी को बदनाम करना।

सप्रमाण सामग्री डाक/ईमेल से निम्न पते पर भेजें।

संपादक-

अम्बिका प्रसाद, एडवोकेट, 'जजमेंट आजतक'

हिमांशु सदन, ५ पार्क रोड, लखनऊ, मो.: ९८३९०१०६७७

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