

THE MURDER OF SHAMSHAD BAI

Of the last chapter in the life of Mohammad Nawaz Khan certain facts have never been in controversy.

Mohammad Nawaz came to Lahore on October 23, 1941, for medical treatment and stayed at the Faletti's Hotel. During his stay at Lahore, he became acquainted with Shamshad Bai, a young girl of 15, a dancer by profession. He had her visit him at the hotel. Shamshad Bai stayed with him on the night of November 6 and so pleased was he with the charms of his little friend that he paid her the generous sum of Rs. 1,700 and invited her to accompany him to his village Khan Bahadur Garh which is in the district of Multar..

On the following day, a party consisting of Mohammad Nawaz, Shamshad Bai, her brother Talib Hussain and two servants left for Multan by the evening train. Excepting for the servants, the party travelled first class. When the train reached Khanewal at about 4 a.m. on the morning of November 8, Mohammad Nawaz complained that he was not feeling too well, and decided to go to Jhang instead. The party changed trains at Khanewal and went on to Jhang, where they arrived at about 11-30 before noon.

Mohammad Nawaz found his namesake, Mohammad Nawaz, a collateral and reversioner, living in the family mansion. When the party from Lahore arrived, this gentleman moved out for the owner and went into a tent which had been pitched in the compound. To avoid confusion let us refer to him as Mohammad Nawaz II.

Mohammad Nawaz and Shamshad Bai, according to everybody, remained in the drawing room till about 5 p.m. By that time Mohammad Nawaz was ready to retire to bed and both he and Shamshad Bai then went in. Dinner was served to Mohammad Nawaz in his room. At 10 o'clock he dismissed the servants including one Mohammad Hussain, who had accompanied his master to Lahore and had returned with him. Mohammad Hussain went to a quarter situated in the north-west corner of the compound which had only one gate and was surrounded by a wall, eight feet high.

According to the story as later related in Court, Gaman, one of the servants, who slept near the kitchen was awakened in the middle of the night by a voice from the bungalow shouting "Mohammad Hussain ko bulao" (call Mohammad Hussain). Mohammad Hussain and some other servants who were up by this time, went to their master's bedroom and found him lying with Shamshad Bai. On her pillow there was blood. A revolver was lying on the floor. Mohammad Hussain said he could see all this as there was a dim electric bulb burning on the wall near the ceiling. Mohammad Nawaz II was called but he did not enter the room and advised Mohammad Hussain to send for one Manoharlal, a local pleader.

On arrival, Manoharlal also, somewhat strangely, did not enter the room but made enquires through the window from the accused, who merely said, "She is dead."

Mohammad Nawaz II, Manoharlal and Mohammad Hussain then went to a Magistrate, and from there to the Superintendent of Police and ended up at the house of the Deputy Commissioner. The visits to these eminent district officials were perhaps with a view to having the matter hushed up, if possible, but this purpose was never quite clearly ascertained. Thereafter they went to the police station and made a report, which constituted the First Information Report, which, according to the records at the police station, was made at 3-30 a.m. in the morning of 8th November, 1941. The report (after reciting the incidents of the previous day) said that Lala Manoharlal went to the bungalow of Mohammad Nawaz Khan and from outside had asked what was the matter. Mohammad Nawaz had only intimated that Shamshad was dead and had given no more details. The report also stated that Mohammad Nawaz was still lying with Shamshad Bai.



Sub-Inspector of Police Ali Hussain after recording the statement of the persons present arrived at the scene of occurrence at 5-15 a.m. He found Mohammad Nawaz still lying with Shamshad on the bed, a revolver was on the floor, while an electric bulb dimly illuminated the room. The Sub-Inspector picked up the revolver and smelt it. It appeared to have been recently fired. When opened, it was found to contain four live cartridges and two spent cartridges. A fully loaded rifle was found near the fireplace as also another loaded pistol in a suit-case. Two small tables were near the head of the bed.

The arrival of the police made little difference to Mohammad Nawaz, for he continued to lie with the corpse of the little dancer. At 6 a.m. when Ghulam Haider, Deputy Superintendent of Police arrived, he found Mohammad Nawaz in the same position. A detailed look-over of the room revealed that the revolver had been fired twice. There was a bullet mark in the wall six feet three inches from the ground above the side of the bed on which Shamshad was lying. A spent bullet was found on the floor behind a suit-case near the window, which was on the opposite side of the room. The other bullet was not traced. At 8-30 a.m. Jagan Nath, a photographer, was called in to take some photographs. The first of the , photographs taken naturally was of that of Romeo beside Juliet.

Mohammad Shafi, First Class Magistrate, arrived at about 9 a.m. and recorded statements under Section 164 of the Code of Criminal Procedure of the servants. The accused at last left his bed at 10. He gave no statement. From the person of the accused the sum of Rs. 25,000 in cash in the form of two currency notes of ten thousand each and five of a thousand each as also a valuable bracelet were taken into possession.

Mohammad Nawaz was arrested the same day for the murder of Shamshad Bai and sent to the judicial lock-up. While in custody, he was treated with all courtesy. He remained in jail for nearly three weeks, when he was allowed bail by the Sessions Judge of Jhang. But the Crown moved the High Court for cancellation of bail on the ground that the accused was charged with, the serious offence of murder. The High Court directed that the bail be cancelled. But in view of his state of health, he was permitted to be in hospital. Mohammad Nawaz never went back to jail.

Mohammad Nawaz was committed to Sessions on February 12, 1942. In view of the great local influence of the accused and as there were some insinuations about the accused being able to buy up witnesses and others, the trial was directed to be held at Lahore before the Court of Sessions. The charge on which Mohammad Nawaz Khan was directed to stand his trial was of course the murder of Shamshad Bai on the night of the 8th November, 1941.

The trial was held at Lahore before Mr. D. Falshaw, of the Indian Civil Service, Sessions Judge. Mr. Falshaw was aided by four assessors. The Crown was represented by Mr. Siddique, Public Prosecutor, assisted by a member of the Jhang local bar. The accused was defended by Mian Abdul Aziz, Bar-at-law, an eminent criminal lawyer, assisted by a large number of junior members from the local bars of Lahore and Jhang. The Court room took the appearance of a State trial and was largely attended by members of the legal profession, the public and by the press.

The first witness called for the prosecution was Dr. Sher Singh, Civil Surgeon of Jhang, who reiterated the evidence that

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