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Govt backs out on video evidence

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Kolkata: Video recording of statements made by rape victim Agnes Rose Gambiar cannot be used as evidence in a court of law.

On Wednesday, the state government withdrew its prayer from Calcutta High Court to treat the recording as evidence in the case against the accused in Alipore court. Public prosecutor Kazi Safiullah said he would not like to press for that, which was dismissed by Justice S P Talukdar.

On September 19, 2000, Agnes — impaired of speech and hearing — was raped, allegedly by police constables in a prison van while being taken to Presidency jail from the Alipore SDJM's court.

Five experts helped to interpret her statements, which were recorded in a video. Though Agnes identified three of the accused, DNA tests on her baby did not match with that of the accused constables. Also, during the test identification parade, she failed to identify them.

Though the state requested Alipore court to treat the video recording as evidence, it was turned down. When it was challenged in the high court, defence counsels Sekhar Basu and Phiroze Edulji argued that a statement made to an investigating officer cannot be treated as evidence and added that Agnes was shown the photographs of the accused while giving her statements.