

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 4 | Issue 3

2021

© 2021 International Journal of Law Management & Humanities

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com>)

This Article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in International Journal of Law Management & Humanities after due review.

In case of any suggestion or complaint, please contact Gyan@vidhiaagaz.com.

To submit your Manuscript for Publication at **International Journal of Law Management & Humanities**, kindly email your Manuscript at submission@ijlmh.com.

Bhagat Singh: A Revolutionary ahead of His Time

ANUSHRI AWASTHI¹

ABSTRACT

This article revolves around Bhagat Singh's life as revolutionary during Indian freedom struggle. Bhagat Singh is a famous Indian freedom fighter who sacrificed his life for the cause of his motherland. Starting from his childhood till his last breath, the article includes all the important events that occurred in Bhagat's life. Mainly his two acts of dramatic violence against the British in India and execution at age 23, which made him a folk hero of the Indian independence movement. The article throws light on the Killing of Saunders, 1929 Assembly Incident, arrest, Case trial, the prison Hunger strike, and Execution. The author has tried to critically analyse the case trial and proceedings of the case and the decision pronounced and tried to build a relation of the working of the judiciary with the political events occurring at that time. Bhagat Singh was a revolutionary ahead of his time, and his ideology and intellect are evidence of that, if people of his time were able to understand and connect with his ideas and thoughts, the scenario and history of the Indian freedom struggle would have been completely different from what it is. Though today he is not present in his material form, his ideas and thoughts have kept him alive in the hearts of the youth of India.

I. INTRODUCTION

Bhagat Singh was one of the most famous revolutionaries in the Indian freedom struggle and was famously referred to as “Shaheed Bhagat Singh”, the name symbolizes great intellect, death-defying courage, and sacrifice. Bhagat Singh changed the face of the romantic revolutionary movement to the realistic one. His intellect and vision can be seen in his ideas on revolution, socialism, violence, religion, and way of life. He was a heroic figure for the people of India, a human who has no fear of death, a human who has immense love for his motherland and countrymen, a human who can fast for 112 days just for the sake of respect of his and his fellow prisoners and a human who died for the sake of instilling the fire of freedom in his countrymen for their motherland. He did a lot of struggle during a short span of his life that was 23 years and, in the end, succeeded in his motive. He was a well-educated and learned man, a revolutionary ahead of his time, his heroic attitude and great intellect gave a new youth to the old Indian national freedom movement. He was well versed in the literature, Indian

¹ Author is a student at Dharmashastra National Law university, Jabalpur.

culture and tradition as well as in the international revolutionary movements and biographies and autobiographies of famous rebels. His literary works are still a source of inspiration for today's youth. In a short life span of 23 years, he achieved great admiration and love and reached a heroic level where one cannot easily reach in his entire life. He was a legend and will remain a legend forever.

II. BHAGAT SINGH'S CHILDHOOD AND FAMILY BACKGROUND

On September 28, 1907, Bhagat Singh was born in Banga, Punjab (now in Pakistan) to a Sikh Hindu family. He was the second son of Kishan Singh and Vidya Vati. His birth coincided with the release of his father and his two uncles. The family was deeply involved in the freedom of national struggle and was politically active. Sardar Fateh Singh, his great grandfather was in Maharaja Ranjit Singh's army and fought bravely in the Anglo-Sikh war against the imperialist attack. His grandfather Arjun Singh was a follower of Arya Samaj, which was started by Swami Dayanand Saraswati, his father and uncles were members of the Ghadar Party. His uncle Ajit Singh was a revolutionary, and a famous freedom fighter. He was the hero of "Pagdi Sambhal Jatta" a movement for Peasant rights, he traveled internationally to gain support of other countries for the ongoing freedom movement in India and he founded AZAD HIND FAUZ while he was in Italy. Hence, all his forefathers, father, and paternal uncle were committed to the freedom of their motherland be it from colonialism or social evils, no wonder where he got his traits and dedication for the cause of freedom.

Unlike his contemporaries, he did not join the Khalsa High school in Lahore because his grandfather disapproved of the British loyalty that the school officials used to pay, he instead went to Dayanand Anglo-Vedic High school, which was an Arya samaj Institution. The Arya samaj philosophy influenced him throughout his life.

During his childhood, he thought of growing guns in his fields, instead of crops so that he can fight Britishers for the freedom of his motherland. At the age of 12, he went to Jallianwala Bagh on foot when he heard about the massacre that occurred there, to share the sufferings of his countrymen. The death of those innocent people had an extreme impact on him. After the Jallianwala Bagh massacre, he vowed to strive for the complete independence of his country.

In 1921, he joined Gandhiji's Non-Cooperation Movement, but when Gandhiji called off the movement after the Chauri-Chaura incident, Bhagat became disillusioned with Gandhi's philosophy of Non-violence. Therefore, he left Gandhi's group, made his formation to advocate violence against invaders, and became a member of the Young Revolutionary Movement. He left the D.A.V. College in 1921 and joined the National College in Lahore which was formed

by Lala Lajpat Rai, Bhai Parmanand, and Sufi Amba Prasad, it was there he met his colleagues of future years like Sukh Dev, Bhagwati Charan Vohra, and Yashpal.² In his college days only, he was introduced to revolutionary ideologies. In 1923, he won an essay competition, where he wrote about the sufferings in Punjab, he also used to take part in the dramatics society. When he learned of the Young Italy movement by Giuseppe Mazzini, he was so inspired by that that he founded the Naujawan Bharat Sabha in 1926 and also joined the Hindustan Republican Association which was formed in 1923 and had prominent leaders like Chandrashekhar Azad and Ram prasad Bismil. How self-consciously dedicated he had become is apparent in Bhagat Singh's famous correspondence when he was pressed to marry.³ He left his home, leaving a letter for his father which read-

“My life has been dedicated to the noblest cause, that of the freedom of the country. Therefore, there is no rest or worldly desire that can lure me now.”

III. KILLING OF SAUNDERS'S AND ESCAPE

When Bhagat Singh joined the national college, he became closely involved with revolutionary activities and came in direct contact with the leaders of the Hindustan Republican Association. He became the secretary of Naujawan Bharat Sabha.

In 1928, the British government appointed the Simon Commission to report on how the Indian constitution is working and to suggest reforms, the commission was originally named as Indian Statutory Commission but came to known as Simon Commission after its chairman **Sir John Simon**. This commission was boycotted by Indian National Congress and Muslim League as there was no Indian member included in the Simon Commission, all the members were Britishers. There were mass protests across the country when the commission arrived in India, which was welcomed by showing black flags and shouting slogans to them. One of the famous slogans was “SIMON GO BACK”. The police resorted to lathi-charged to suppress the revolts even senior leaders like Jawaharlal Nehru were not spared. Similarly, Lala Lajpat Rai was leading the protests against the commission in Lahore, where he was brutally lathi-charged while protesting. He later succumbed to his injuries, his death caused great grief to Bhagat Singh and his other colleagues, they decided to kill the Superintendent of police who ordered Lathi-charge at the protesters to avenge the death of Lala Lajpat Rai.

For this purpose, it was planned that Bhagat along with Shivaram, Rajguru would directly aim

²A.G. NOORANI, THE TRIAL OF BHAGAT SINGH POLITICS OF JUSTICE (OXFORD UNIVERSITY PRESS) (2001).

³ A.G. NOORANI, THE TRIAL OF BHAGAT SINGH POLITICS OF JUSTICE (OXFORD UNIVERSITY PRESS) (2001).

at the Scott with revolvers, Jai Gopal was to keep a watch on Scott's movement while Chandrashekhar Azad will guide the whole act, it was he who fixed the date as "17 December" for the murder. The plan was conspired and constructed with utmost attention and care, on the day Jai Gopal said that Scott is riding a motorcycle and he was asked to give a signal as soon as Scott arrives.

About 4 p.m., Assistant Superintendent of Police who was the officer whom Jai Gopal had seen riding to the office at 10 a.m. on a red motorcycle and whom he had mistaken for Scott, came out of the police officer followed by the Head constable Chanan Singh.⁴ As soon as Saunders came out of the office and start riding his bicycle, Jai Gopal gave a signal to Bhagat Singh and Rajguru. Rajguru came aiming at Saunders and fired at him as soon as he got near the motorcycle. Saunders being hit by a bullet fell on the ground; his leg being stuck under the motorcycle. As he laid there, Bhagat Singh came running and discharged several bullets at him. Head Constable Chanan Singh followed Bhagat Singh, Rajguru, and Jai Gopal as they ran down Court Street, when he refused to give up the chase he was also killed probably by **'the bullets of Panditji'**. Later all of them escaped on bicycles that they had hidden on certain spots before the murder, they stayed at Mozang's house the whole night where they found out that the man whom they murdered was Sunders and not Scott.

Next-Day in the morning, police discovered several posters in the city, many of them were in Bhagat Singh's handwriting which read-

Bhagawati Charan Vohra's wife **'Durga Bhabhi'** offered her help to fighters to escape, On December 20, Bhagat Singh along with Rajguru and Durga Bhabhi left for Calcutta. To not to be caught by the British officials as they were looking for a bearded, turbaned young man. Bhagat changed his look into a handsome, clean-shaven man with a hat and dressed in a suit, just like an Englishmen. They pretend to be an elite rich family, who came with their servant and boarded the first-class compartment of the train. And just like that, they escaped under the nose of dozen British policemen.

IV. 1929 ASSEMBLY INCIDENT, ARREST, CASE TRIAL, AND EXECUTION

After Saunders's murder bhagat Singh resorted to a more dramatic way to get the appeal of mass and attention of Britishers. Therefore, being influenced by the French revolutionary Valliant who used to say that **"A Bing Bang is needed to make the deaf hear"** the members of the Hindustan Socialist Republican Association in 1929 decided to explode bombs in the

⁴ A.G. NOORANI, THE TRIAL OF BHAGAT SINGH POLITICS OF JUSTICE (OXFORD UNIVERSITY PRESS) (2001).

Central Legislative Assembly to gain massive publicity for their arms.

In Calcutta, Bhagat Singh to manufacture the bombs took the help of Jatindra Nath Das and Phobindra Nath Das. “Agra was selected as a center for that purpose, Jatindra Nath Das and Lalith Mukherjee, a science student at Allahabad performed the prime roles as educators in the craft. Bomb-making began to take place at Hing Ki Mandi House, in Agra .”⁵ Bhagat Singh returned from Lahore, bringing five bombshells with him, these were tested by him and Panditji in the forests of Jhansi in March. A meeting of HSRA was held in Hing Ki Mandi house to decide who will accomplish the act of throwing the bombs in the assembly. Initially the members especially Panditji did not want Bhagat Singh to do, due to his past involvement in Saunders's murder plan as his arrest would ultimately lead to the death penalty. But then Bhagat himself volunteered for the task, and ultimately the members agreed too as they understood that Bhagat Singh is the most suitable man for the plan. Hence it was decided that Bhagat Singh and Sukh Dev will throw the bombs in Central Legislative Assembly in Delhi and then they will be rescued by Panditji, Jai Dev, and Sadashiv. On 8th April 1929 Bhagat along with Batukeshwar Dutt went to the Central Legislative Assembly. Both of them were dressed in Khaki shirts and shorts. At 12:30 pm, when the President of the Assembly Vithalbhai Patel began to give his remark on the Trade Dispute bill, an explosion occurred and smoke filled the assembly hall. Two bombs were thrown in quick succession along with that Bhagat fired two unaimed shots. Bhagat and Batukeshwar both began shouting slogans – **“INQUILAB ZINDABAD”** and **“DOWN WITH THE BRITISH IMPERIALISM”** and threw pamphlets with the caption-

Motilal Nehru, Malviya, and Mahammad Ali Jinnah were all present during this time in the assembly and later serves as witnesses in the case trial. Both of them Singh and Dutt didn't make any attempt to run away from the assembly, they both quietly surrendered Sergeant H.D. terry who was followed by Traffic Inspector C. Johnson.

The trial began a month later in District Jail on May 7, 1929, before the Additional District Magistrate F.B. Pool. Asaf Ali appeared for the defense, Raj Bahadur Suraj Narayan appeared for the prosecution. ⁶ Both Bhagat and Batukeshwar admitted that they threw the bombs in the assembly but they did not intend to harm or kill anyone, they only intended to deliver a message. They said that they were not against any individual but the institution, they are against

⁵ A.G. NOORANI, THE TRIAL OF BHAGAT SINGH POLITICS OF JUSTICE (OXFORD UNIVERSITY PRESS) (2001).

⁶ A.G. NOORANI, THE TRIAL OF BHAGAT SINGH POLITICS OF JUSTICE (OXFORD UNIVERSITY PRESS) (2001).

the bills that are were being discussed in the assembly, which led to arrests of many from labor movements that were immoral. They also made a joint statement clarifying their stance which was published as an article in a journal entitled “Common Wheel” as “**Bhagat Singh: An obsolescent**”. Batukeshwar Dutt hired Asaf Ali as his lawyer while Bhagat defended himself during the trial. During the trial, they both shouted slogans of “*Inqilab Zindabad*” and “*Down with the British Imperialism*” in the courtroom in response to which the magistrate ordered to handcuff them. In June the verdict was pronounced and both Bhagat Singh and Batukeshwar Dutt were sentenced to transportation for life. The accused appealed to Lahore High Court but their appeal was ultimately dismissed.

In the meanwhile, the case of ASP Saunders’s murder was also linked to Bhagat Singh as he was one of the suspects. A Lahore Bomb factory where bombs were manufactured, was raided by the police, and Sukh Dev and Kishori Lal were arrested during the process. Similarly, many members of HSRA were arrested and their houses and factories were raided. Some of the members turned informants for the governments such as Jai Gopal and Hans Raj Vohra. The handwriting on the Pamphlets that were found on the next morning of the murder was found to identical to the handwriting of bhagat. With these new pieces of evidence and information, the police traced the link between Saunders murder, manufacturing of bombs, and assembly incident. Consequently, Bhagat, Sukhdev, and Rajguru along with 21 others were charged with Saunders murder and for waging war against the crown.

V. PRISON HUNGER STRIKE

While Bhagat Singh, Sukh Dev, and Rajguru were in Central jail on Mianwali, they met with their comrades such as Jatin Das, and they were surprised with the discrimination that the Indian prisoners face in the prison in comparison to the British prisoners. “The standard of food that was being served there was pitiable, clothing and toiletries and other elements of basic hygiene were almost missing. Their access to local newspapers and books has also been revoked completely. Jatin Das has demanded better prisoner conditions for the prisoners but to no avail and had also demanded that no manual labor should be forced on them.”

They decided to go on a hunger strike due to a lack of action from the Britishers. Bhagat Singh wrote letters to the Inspector generals, Punjab Jails, Lahore in which he stated his reasons for going on a hunger strike and his demands. He demanded that being political prisoners he and his comrades are entitled to the special treatment that is provided to the political prisoners. They should be served a special diet which should include milk, ghee, rice, and curd, etc. There should be no forcible labor, they should be provided with all kinds of literature and daily

newspaper, toilet including soap, oil, shaving, barber, etc., and better accommodation for living. Similarly, prisoners across the country demanded their status as political prisoners and went on a hunger strike. They continued their strike till the British government accepted all their status and agreed to give them the status of political prisoners. During their 112 days long strike they faced tremendous struggle, British government tried every possible method to end their hunger strike. Delicious food items were kept before them to lure them, when they failed to lure the prisoners, they turned to evil tricks to reach their goal. It was said that they filled water pitchers with milk instead of water, and tried to feed them forcibly in which the prisoners were stripped, caned, beaten, and tortured till they used to faint or died. At the time of his hearings, Bhagat was carried by someone to the court as he was in such bad condition that he couldn't even move on his own. Due to such tremendous torture and ignorance of the selfish British government, one of the prisoners **Jatin Das** succumbed to starvation on the 62nd day of the hunger strike.

On 5th October 1929, Bhagat Singh and Batukeshwar Dutt gave up their hunger strike on the insistence of Singh's father when the British accepted their demands and agreed to give them the status of political prisoners. They resumed their strike when Britishers stepped back from their demand but ultimately ended it on 4 October after 116 days, when the government agreed to some of their demands. But the impact of their hunger strike was huge, the leaders of the strike became household names in the country. The problems faced by prisoners soon became a national affair and the prisoners became national heroes, they gained support from many political leaders who used to meet them during their strike period. Even Jawaharlal Nehru stated in the press in support of the prisoners on 5th June. The strike was such a success on a moral level that the 30th of June was observed as Bhagat Singh Day all over the country.

VI. THE TRIAL (5 MAY – 10 JULY 1930):

The Trial of the Lahore Conspiracy Case began on July 10 in Central Jail, Lahore under First Class Magistrate Rai Sahab Pandit Sri Kishan. Bhagat Singh along with his 21 other comrades was charged with Sunder's murder, Lahore conspiracy Case, and waging war against the Crown. The crown was defended by C.H. Carden Nod, and the accused were defended by 8 different lawyers, Bhagat chose Lala Duni Chand as his legal adviser, as he did not want to be represented by a lawyer in the court. Bhagat Singh, Sukh Dev, and Bijoy Kumar Sinha together also formed a strategy for themselves that they would follow in the court. On July 10, the proceedings began, bhagat along with his 21 united comrades entered the court with the slogans of "Inquilab zindabad" and "Down with British Imperialism". The trial was not an open court

one, the general public was not allowed to enter however the relation of the accused was sometimes admitted in the court. The first thing that the Magistrate ordered was the prohibition on raising slogans in the court even the defense lawyers were admitted after some delay. “The case built by the prosecution was that a revolutionary conspiracy has been hatched as far as back as September 1928, two years before the murder of Saunders. The government alleged that various revolutionary parties had joined together to form one organization in 1928, to operate in north and the northeast of India, from Lahore to Calcutta.”⁷ The proceedings of the court soon became very unpleasant. handcuffing the accused was simply not required, as they were not in the condition that they could run away from the court. Bhagat Singh once appealed to the magistrate against the handcuffing, he considered it as their insult, as they were handcuffed, they could neither make any notes of the court proceedings nor they can consult each other regarding the case. However, the magistrate took his appeal as an act of rowdyism. All this shows the arbitrariness and injustice the accused were forced to face during the trial.

The case was going on a slow pace, and the government could not tolerate the support that the accused were getting from the general public and the spirit their struggle was installing in the freedom movement that was going on in the country.

Hence the government opted for evil tricks to cut short the trial. An ordinance was passed by Lord Irwin to set up a tribunal to try this case on May 1, 1930. The ordinance which was dealing with proceedings was put to an end and the case was transferred to a tribunal of three court judges without any right to appeal, except for the privy council.⁸ Rajguru opposed this ordinance as he believed that they have no right to cut short the legal proceeding of the trial, but his opposition was considered as “premature” and went in vain. However, Bhagat regarded it as a victory for them as this act of the government exposed its true face in front of the public and that also the fact, they follow no law. The case was reopened in a stately Poonch house on 5 May 1930, the prosecution mostly relied on the statement given by comrades turned informants and on Section 9 (1) of the Ordinance. On 10 July the tribunal issued an order and served the charges that were framed against the fifteen out of the eighteen accused.

The tribunal delivered its judgment on 7 October 1930, sentencing Bhagat Singh, Sukhdev, and Rajguru to death by hanging, and others were sentenced to life transportation and rigorous imprisonment. his judgment was a 300-page one that went into the details of the evidence and

⁷ THE TRIAL OF BHAGAT SINGH, HISTORICAL TRIALS, https://www.indialawjournal.org/archives/volume1/issue_3/bhagat_singh.html

⁸ THE TRIAL OF BHAGAT SINGH, HISTORICAL TRIALS, https://www.indialawjournal.org/archives/volume1/issue_3/bhagat_singh.html

said that Bhagat Singh's participation in the Saunders' murder was the most serious and important fact proved against him and it was fully established by evidence. The warrants for the three were marked with a black border Bhagat was expecting the same for the judgment, hence he was not in favour to file an appeal in the privy council at first, but eventually agreed when he thought that the appeal would lead to the acknowledgment of HSRA in London. In the case of **Bhagat Singh Vs the King-Emperor**, the matter of appeal was that the Ordinance which was promulgated to constitute a tribunal was valid in itself. However, the petition of special leave to appeal was dismissed by Privy Council on 11 Feb 1931. Their execution was to be done on 24 March 1931. However, they were executed on the evening of 23 March at 7:35 p.m. in the Lahore Jail. No magistrate was there to supervise their execution, the supervision was done by an honorary judge who also signed their death warrants as their original death warrants had expired. While the arrangement for the execution was made, loud shouts of "Inquilab Zindabad" could be heard from inside the Jail which was made to alert the public of that area of the executions. Due to the rules imposed by the Jail authorities, their relative was not allowed to meet them, their bodies were secretly transported from the jail to the banks of Sutlej, where they were burnt and their assets were thrown in the river at the dead of night. The next day March 24 when the news of executions, came to light the country went into a state of deep grief and anger. There were condolence meetings across the country organized by various political figures. Statements were released by Jawaharlal Nehru and Maulana Zafar Ali Khan expressing their anguish and grief on not being able to save the brave sons of Mother India. Mahatma Gandhi was severely criticized as it was believed that he could have saved the three brave men from the executions if he wanted to, but he did not make any genuine efforts. Though Bhagat was prevailed upon by his team, to seek pardon from Britishers, he rejected the idea with contempt.

Bhagat Singh went to the gallows brave men, and as only the brave can without any bravado. A large no. of his writings in the days preceding March 23, shows his unique underlying qualities. Qualities that made him the most favourite of the general public, the love which no other freedom fighter has received. He had no desire to live any longer, he left with peace as he knew that will remain alive in the hearts of his beloved countrymen and with the name of his motherland for the freedom of which he is sacrificing his life. During his last interview with his brother on March 3, he was hurt on seeing the pain and suffering of his brother Kartar Singh for him, so he wrote a letter to him which read-

“Usay ye fikr hai hardam naya tarze jafa kya hai,

Hame yeh shaq hai dekhe sitam ki intehan kya hai

Dahr se kyun khafa rhen, Charkh Ka kya gila kre

Hmara Jahan hai shi aoo muquabala kre,

Koi Dum ka Mehman hun Aye Ahle Mehfil Men

Chirag-e-Seher Hun Bhujana Chahta Hun”

“Mere hawa me rahegi Khayak ki Bijli,

Yeh Musht-e-Khaak Hai Faani, rahe na rahe”

Achha Rukshat!

“Khush raho Ahle Watan Hum toh Safar Karte hain”

Huasle se rahna, Namaste. Tumhara bhai, Bhagat Singh.
