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When Justice Becomes a Verdict: Public Certainty, Institutional Constraints and the Zubeen Garg Case One Year On

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Abstract

The death of Assamese cultural icon Zubeen Garg in Singapore on 19 September 2025 generated extraordinary public mourning, followed by criminal allegations, an investigation in Assam and sustained demands for justice. An earlier commentary published in Space and Culture, India examined the initial progression from collective shock to suspicion, mobilisation and institutional pressure. One year later, the continuing controversy offers an opportunity to examine a different phenomenon: the consolidation of public belief into an expectation of a particular judicial outcome. This perspective considers how concerns about failures of care may develop into allegations of intentional wrongdoing; how proximity to a celebrated figure becomes both a source of symbolic authority and a basis for blame; and how digitally amplified certainty can impose reputational costs on those expressing doubt. It examines the predicament of political executives expected simultaneously to reassure an aggrieved public and respect the independence of criminal proceedings. The article also considers the distinction between prejudicial publicity in jury-based and judge-led criminal justice systems, the Indian legal framework governing trial by media, and the possibility that procedural fairness within the courtroom may coexist with collective prejudgment outside it. Particular attention is given to the conflation of prosecutorial competence with the achievement of conviction and to the responsibilities of the media and public intellectuals in sustaining informed disagreement. Drawing on documented developments, public discourse and established social-psychological concepts, the article advances an interpretive argument rather than a determination of criminal responsibility. It suggests that the challenge extends beyond effective government communication to the preservation of independent judgment within an emotionally mobilised public sphere. A brief historical comparison with the judicial proceedings following Indira Gandhi's assassination illustrates the distinction between collective anger and the proof of individual culpability.

Keywords: Zubeen Garg; Collective Grief; Public Opinion; Epistemic Conformity; Criminal Justice; Trial by Media; Presumption of Innocence; Digital Mobilisation; Assam; India

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Introduction: From Narrative Formation to Narrative Entrenchment

On 31 October 1984, Prime Minister Indira Gandhi was assassinated by members of her security detail. Her killing was followed by horrific anti-Sikh violence (Tieri, 2024),[1] a warning of the injustice that collective anger can inflict on people who bear no individual responsibility. The prosecution of the assassination itself followed a different path. In August 1988, the Supreme Court upheld the convictions of Satwant Singh and Kehar Singh while acquitting Balbir Singh, whose participation in the alleged conspiracy had not been proved beyond reasonable doubt (Kehar Singh v. State (Delhi Administration), 1988).

The comparison is not between the circumstances of the two deaths. In the Gandhi assassination, the killing was established; in the Zubeen Garg case, the nature of criminal responsibility remains a matter for judicial determination. Rather, the historical lesson concerns the difference between collective certainty and individual proof. Even where a killing is undisputed, courts must assess the evidence against each accused independently. Public anger cannot discharge that obligation.

On 19 September 2025, the sudden death of Zubeen Garg in Singapore precipitated an extraordinary outpouring of grief in Assam. The scale of public mourning testified to his exceptional place in the cultural and emotional life of the region. Yet, almost immediately, questions about the circumstances of his death began to acquire a different character. Concerns about the responsibilities of those accompanying him developed alongside allegations of negligence, conspiracy and eventually murder.

An earlier commentary, *When Emotion Becomes Evidence: How Zubeen Garg's Case Spiralled into a Narrative War* (Sarma, 2025), examined the initial days of this episode. It described a five-stage progression—shock, suspicion, distrust, mobilisation and institutional pressure—and explored the difficulties faced by the Assam government in responding to rapidly escalating public expectations while investigations remained subject to jurisdictional and evidential constraints.

That analysis concentrated on the formation and acceleration of competing narratives. One year after Zubeen's death, the more consequential question may concern what happened after one interpretation acquired considerable public authority.

The passage of time has not simply introduced additional information. It has introduced criminal proceedings, judicial scrutiny and decisions that cannot necessarily be reconciled with the expectations created during the initial mobilisation. This presents a problem extending beyond the circumstances of one death. What happens when public conviction becomes so closely associated with collective loyalty that reconsidering the underlying allegation appears morally unacceptable? What happens when a demand for justice comes to imply that justice has only one legitimate outcome?

These questions are especially important because they do not require us to dismiss public grief as irrational or to assume that criminal allegations are unfounded. The legitimacy of mourning, the seriousness of allegations and the necessity of independent judicial determination can coexist. The difficulty arises when these distinct considerations are fused.

The Initial Attribution of Responsibility

The chronology deserves attention because it complicates a simple account in which an enormous funeral gathering first generated a murder narrative. Zubeen died on 19 September 2025. By the following day, complaints concerning the conduct of festival organiser Shyamkanu Mahanta and manager Siddharth Sharma had entered the public record. Contemporary reporting described allegations

[1] This anti-Sikh violence is referred to as 1984 Sikh genocide (Bhattacharyya, 2024; India Today, 2022; Republic World, 2022).

involving negligence, mismanagement and concerns about Zubeen's welfare. Murder allegations were also incorporated into the early criminal complaints, before the principal funeral gatherings in Assam (Indian Express, 2025). The chronology therefore does not support the proposition that suspicion of murder arose only after the funeral procession. Equally, the existence of such allegations does not establish that the immense crowds mourning Zubeen shared a settled belief that he had been murdered. The distinction matters.

The original public response brought together people with different experiences, attachments and understandings of the event. Participation in mourning cannot retrospectively be interpreted as endorsement of a particular criminal accusation. The early focus on Mahanta and Sharma nevertheless reveals a plausible route through which suspicion acquired identifiable targets. Both men occupied positions of practical proximity to Zubeen. The organiser was associated with the circumstances of his visit to Singapore; the manager had an established role in managing his professional affairs. Such relationships naturally invited questions about arrangements, decisions and responsibilities. The initial moral question was understandable: how could those entrusted with aspects of his welfare have failed to prevent the tragedy?

But this question admits several possible answers. An unexpected death may involve an unavoidable accident, an error of judgment, negligence, reckless conduct or deliberate wrongdoing. These possibilities are not interchangeable, either morally or legally. A significant transformation occurs when the question changes from how a tragedy happened to why particular individuals supposedly wanted it to happen. At that point, responsibility begins to acquire intentionality. The transition need not be the product of a coordinated campaign. It may emerge through ordinary processes of attribution, repetition and selective interpretation. Once a person becomes the focus of suspicion, subsequent behaviour may be read as evidence of an already assumed motive. An incomplete explanation can become concealment. Apparent inconsistency can become deception. A relationship of trust can be recast as an opportunity for betrayal. These are possible mechanisms of narrative consolidation, not findings about the conduct or intentions of the individuals concerned. The criminal allegations remain matters for judicial determination.

The Paradox of Proximity

Zubeen’s exceptional public stature introduced another dimension to the allocation of responsibility. Closeness to a celebrated cultural figure carries symbolic significance. Personal association, shared history and claims of intimacy can confer authority to speak about the person's life, wishes and legacy. After an unexpected death, however, proximity may become a liability. Those closest to the deceased are assumed to have possessed greater knowledge, greater opportunity to intervene and, in some circumstances, greater responsibility for his welfare. The distinction between claimed intimacy and entrusted responsibility becomes important. A person who identifies as a close friend may acquire public recognition by expressing grief or demanding accountability. Someone whose relationship involved actual organisational or managerial responsibilities may become the object of accusations about failures of care. This asymmetry does not establish opportunism among those claiming closeness. Nor does it establish negligence among those with practical responsibilities. It does suggest that a highly personalised public tragedy can create competition over who possesses the moral authority to represent the deceased, even while exposing others within the same circle to exceptional scrutiny. The resulting discourse may become concerned not only with what happened but also with who is entitled to speak, who is considered loyal and whose account is regarded as legitimate. The management of a public figure's legacy can consequently become entangled with the adjudication of criminal responsibility.

From Collective Mourning to Collective Certainty

The scale of Zubeen's funeral procession was an extraordinary social fact. It demonstrated widespread attachment and a shared experience of loss. It did not, by itself, establish consensus on the cause of death. This distinction becomes especially important when later gatherings and online mobilisation are interpreted as direct continuations of the original mourning. Collective participation can change in meaning over time. A gathering initially organised around remembrance may subsequently become associated with demands for investigation, punishment or political accountability. The people participating at different stages need not be identical, and the intensity of the most visible participants need not represent the beliefs of the broader population. Digital communication can accentuate these differences. Social media rewards visibility, immediacy and repeated engagement. Categorical assertions are often easier to circulate than qualified judgments. Expressions of uncertainty may be interpreted as indifference, while expressions of certainty can function as declarations of belonging(Sunstein, 2002). A comparatively small but highly active group can therefore influence the apparent boundaries of acceptable opinion (Sunstein, 2002). This does not demonstrate that the wider population shares its convictions. It demonstrates how the visibility of a conviction can become confused with its prevalence. No representative survey of public attitudes is available for the present analysis. Accordingly, the proposition that a relatively vocal section dominated the discourse remains an interpretive hypothesis requiring systematic empirical testing. Nevertheless, the observable reluctance of some individuals to express dissent publicly raises an important question about the social conditions of judgment.

The Social Cost of Independent Judgment

One of the most revealing features of the controversy has been the apparent difficulty of expressing uncertainty without anticipating criticism. In public exchanges, some participants have indicated that questioning the murder allegation may invite hostility or cause distress to those convinced of it (Asch, 1956; Noelle-Neumann, 1974). Such expressions do not establish that dissent has been systematically suppressed. They do, however, suggest that at least some individuals perceive a social cost in departing from the dominant narrative. This is consistent with the mechanism described by Noelle-Neumann (1974) as the spiral of silence: people may become less willing to express opinions they perceive as socially isolated or unpopular. The concept should be applied cautiously. Online comment sections are not representative samples, and visible disagreement may coexist with substantial private uncertainty. Yet the possibility is significant. A society need not achieve genuine unanimity for unanimity to become a powerful public appearance. It may be sufficient for people who disagree, or who remain uncertain, to conclude that expressing their reservations is not worth the consequences(Noelle-Neumann, 1974). The resulting discourse becomes progressively less informative about what people actually believe. It also becomes less capable of correcting itself. The issue is not necessarily the formal educational attainment of participants. Independent judgment cannot be reliably inferred from degrees, occupations, spelling or stylistic sophistication. More relevant are the epistemic habits displayed in public argument: distinguishing knowledge from suspicion, calibrating confidence to evidence, applying consistent standards and remaining willing to reconsider a conclusion. Even these habits should not be treated as fixed personal attributes. Individuals capable of careful reasoning in ordinary circumstances may reason differently when social identity, collective emotion and reputational pressures become salient (Festinger, 1957; Kunda, 1990). Thus the central question is not simply whether the most vocal participants possess limited reasoning abilities. It is whether participation in an emotionally mobilised environment encourages the public performance of certainty at the expense of independent evaluation (Asch, 1956; Kunda, 1990). These possibilities are not mutually exclusive.

When the Family Becomes Accountable to the Crowd

The bereaved family occupies a uniquely difficult position in such circumstances. Family members possess an intimate and legitimate interest in establishing what happened. Their grief cannot reasonably be expected to conform to the detached language of judicial procedure. At the same time, their public statements may be interpreted as authoritative expressions of what the wider movement ought to believe. A difficulty emerges when the movement develops expectations that the family itself must continuously satisfy.

Statements supporting investigation and justice may be treated as insufficient unless accompanied by categorical affirmation of particular allegations. Expressions of uncertainty, appeals for restraint or attempts to distinguish the family's position from competing public factions may invite renewed scrutiny (Festinger, 1957; Janis, 1982). The family can then become subject to the same pressures that the movement claims to be exercising on its behalf. This creates a paradox: the public's identification with the bereaved may become so strong that the bereaved lose some freedom to speak independently. The phenomenon should not be interpreted as proof that family members privately doubt their publicly expressed beliefs. Nor should changing statements be attributed automatically to social pressure. New information, personal reflection and legal developments can independently explain changes of position. The narrower argument is that a collective movement may generate expectations capable of constraining even those whose suffering originally helped legitimise it.

The Assamese expression বাঘৰ পিঠিত উঠি নামিবলৈ টান—the difficulty of dismounting from a tiger's back—offers a useful metaphor. But perhaps the more revealing question is whether dismounting becomes difficult because of the tiger, or because the surrounding crowd has made dismounting dangerous.

The Executive's Predicament

The Assam government's response has unfolded within an unusually demanding political environment. The Chief Minister was expected to acknowledge extraordinary public grief, ensure a credible investigation, respond to allegations involving events in another sovereign jurisdiction and reassure citizens that no reasonable avenue of inquiry would be neglected.

The demand for a second post-mortem examination illustrates the dilemma identified in the earlier commentary. An additional examination could serve legitimate purposes of reassurance and evidential completeness. Yet its announcement could also be interpreted as confirmation that the original findings were suspect. A governmental action intended to address uncertainty might therefore become part of the narrative sustaining that uncertainty. As the investigation developed, the government faced another challenge: explaining the prosecution's position without appearing to predetermine the outcome of criminal proceedings. The distinction is constitutionally elementary but politically consequential. The executive may facilitate investigation, provide resources, ensure cooperation between agencies and explain the basis on which a prosecution has been initiated. The prosecution may maintain that the evidence supports particular charges. Neither the executive nor the prosecution determines guilt. That responsibility belongs to the judiciary.

Categorical political statements describing an alleged offence as established fact can obscure this separation, particularly when made by the head of the government overseeing the investigating machinery(Law Commission of India, 2006). Such statements may be intended to communicate confidence in the investigation. They may nevertheless be received as assurances that a particular judicial outcome will follow. The problem is not that political leaders must remain silent about serious allegations. It is that their institutional position gives their words an authority extending beyond ordinary commentary. A prosecution theory

communicated without sufficient qualification can be mistaken for a judicial conclusion.

When Prosecution Is Confused with Conviction

The subsequent judicial proceedings expose perhaps the most consequential conceptual confusion in the public debate. The investigating agency, having examined the evidence available to it, submitted a chargesheet advancing allegations against identified individuals.

The prosecution's position is that the allegations warrant adjudication and that the evidence supports the charges it seeks to prove. But the existence of a chargesheet does not establish the truth of those allegations.

A criminal trial exists precisely because the prosecution's conclusions remain subject to independent testing. If a prosecution ultimately fails to secure conviction, several explanations are possible. The investigation may have been inadequate. Evidence may have been improperly collected, handled or presented. Witness testimony may prove unreliable. The available evidence may be insufficient to satisfy the required standard of proof despite competent investigative work. Alternatively, the evidence may substantially support an account inconsistent with the allegation. These possibilities can overlap, and an acquittal does not necessarily identify a single explanation.

Most importantly, the possibility that the accused did not commit the alleged offence cannot be excluded merely because the prosecution believed otherwise. To treat every acquittal as proof of investigative incompetence is to assume that guilt was already established before the trial (Kunda, 1990). This is circular reasoning.

The initial allegation is treated as certain. The prosecution's task is then understood as securing the conviction of those already considered guilty. If conviction does not follow, the original belief remains untouched, and responsibility is transferred to investigators, prosecutors or courts. The possibility that the allegation itself may have been mistaken disappears from consideration. A legitimate concern about prosecutorial competence is thereby transformed into an expectation of guaranteed conviction. Yet competence and outcome are distinct. A prosecution can be professionally conducted and still fail to prove guilt. Conversely, serious investigative shortcomings do not themselves establish either guilt or innocence. A fair criminal process must remain capable of producing an acquittal. Without that possibility, the trial becomes a ritual of confirmation rather than an independent adjudication.

Bail, Judicial Scrutiny and Public Expectations

Judicial developments during 2026 have made these distinctions increasingly relevant. In June, the Gauhati High Court considered Siddharth Sharma's application for bail. The published order records competing arguments concerning his responsibilities, the alleged conspiracy, the evidential material and the significance of public sentiment(Gauhati High Court, 2026).

In October, the High Court granted bail to Amritprava Mahanta and subsequently to Sandipon Garg. Reporting on the former decision described the Court's concern about the absence of prima facie material supporting the allegations against her at that stage (Bar & Bench, 2026; The New Indian Express, 2026). These decisions must be understood within their procedural context. Bail is not acquittal. A preliminary judicial assessment is not a final determination of criminal responsibility. Nor does a decision concerning one accused necessarily resolve the position of another. Nevertheless, bail decisions can expose the gap between public expectations and the legal standards governing criminal proceedings. A public that regards the chargesheet as confirmation of guilt may interpret bail as an institutional failure.

A public that understands the chargesheet as the prosecution's case, subject to judicial scrutiny, can recognise bail as a legitimate procedural possibility without prejudging the final verdict. The distinction does not require indifference to the death or hostility towards the investigation. It requires acceptance that the criminal process must remain open to outcomes other than those anticipated by the most vocal participants. The

Singapore investigation adds another dimension. Singaporean authorities reported no evidence of foul play (Singapore Police Force,2025), while the Assam prosecution advanced criminal allegations. These are materially different investigative positions arising from different proceedings. Their divergence warrants careful examination of evidence, jurisdiction and legal standards. It cannot be resolved merely by selecting the conclusion that best accords with public sentiment. Nor should the existence of divergent conclusions be used to pronounce guilt or innocence outside the judicial process.

Trial by Media: Judicial Independence and the Limits of Public Opinion

The sustained public attribution of guilt in the Zubeen Garg case raises a further question: can an accused person receive a fair trial when a substantial section of the public has already arrived at its verdict? The problem of prejudicial publicity is recognised in criminal justice systems across the world, although its legal consequences vary. In jurisdictions such as the United States, where serious criminal cases frequently involve juries, extensive media coverage can potentially prejudice jurors before they hear the evidence. Courts may respond through careful jury selection, instructions to jurors, sequestration, changes of venue or, in exceptional circumstances, the declaration of a mistrial. The underlying concern is that a jury's verdict must be based on evidence presented in court rather than opinions formed through external publicity (Law Commission of India, 2006).

India's criminal justice system operates differently. Ordinary criminal trials are conducted by professional judges rather than juries. Consequently, the Indian system does not ordinarily employ the jury-related remedy of declaring a mistrial because of prejudicial media exposure. Judges are expected to evaluate admissible evidence independently of public sentiment, although professional training does not necessarily confer complete immunity from external influences.

Indian law nevertheless recognises that media publicity can interfere with the administration of justice. Article 21 of the Constitution protects the right to a fair trial, while Article 19(2) permits reasonable restrictions on freedom of expression, including in relation to contempt of court. Section 2(c) of the Contempt of Courts Act, 1971, addresses publications and conduct that prejudice or interfere, or tend to interfere, with judicial proceedings or the administration of justice (Contempt of Courts Act, 1971; Law Commission of India, 2006).

In Sahara India Real Estate Corporation Ltd. v. Securities and Exchange Board of India (2012),[2] the Supreme Court recognised the possibility of narrowly tailored postponement orders where prejudicial publicity creates a real and substantial risk to the fairness of proceedings. Such restrictions must satisfy requirements of necessity and proportionality. In Sidhartha Vashisht v. State (NCT of Delhi) (2010),[3] arising

[2] **Sahara India Real Estate Corporation Ltd. v. Securities and Exchange Board of India (2012)** is a landmark judgment in which the Supreme Court of India reaffirmed the primacy of investor protection and regulatory accountability in the capital market. The case arose when Sahara group companies, **Sahara India Real Estate Corporation Ltd. (SIRECL)** and **Sahara Housing Investment Corporation Ltd. (SHICL)**, raised billions of rupees through Optionally Fully Convertible Debentures (OFCDs) from millions of investors, claiming that these were private placements. The Court held that an offer made to such a vast number of persons constituted a **public issue**, thereby falling within **the Securities and Exchange Board of India's** (SEBI's) regulatory jurisdiction. In a decisive ruling, the Court rejected Sahara's attempt to evade securities regulation and directed the companies to refund the collected funds, with interest, through SEBI. The judgment strengthened SEBI's authority over public fundraising activities and closed a significant regulatory loophole, reinforcing the principle that corporate form cannot be used to circumvent legal safeguards designed to protect investors. Viewed through the lens of corporate accountability, the Sahara judgment stands as a cautionary tale of financial ambition tested against the rule of law. The Supreme Court's intervention underscored that when vast sums are mobilised from the public, transparency and regulatory oversight are not optional obligations but essential pillars of market integrity.

[3] In **Sidhartha Vashisht v. State (NCT of Delhi) (2010)**, born from the haunting aftermath of the **Jessica Lal murder case**, the Supreme Court upheld the conviction of Sidhartha Vashisht, known as Manu Sharma. The

from the Jessica Lal murder case, the Court also acknowledged the dangers of trial by media without treating adverse publicity as automatically invalidating the proceedings.

These principles are not confined to conventional newspapers or television. Social media publications and campaigns can also attract legal scrutiny when their content and circumstances satisfy the applicable requirements. Nevertheless, widespread expressions of suspicion, demands for accountability or criticism of an investigation do not automatically constitute contempt. Judicial intervention requires more than the mere existence of intense public opinion.

The distinction is particularly relevant to the Zubeen Garg controversy. Public declarations of guilt, demands for conviction and hostility towards dissent may create a social environment in which the accused are effectively condemned before the judicial process has concluded. Yet such a climate does not, by itself, establish that the trial has become legally unfair or that the proceedings must be terminated (Sidhartha Vashisht alias Manu Sharma v. State (NCT of Delhi), 2010). This exposes a distinction between procedural fairness within the courtroom and social adjudication outside it. A court may remain capable of evaluating the evidence independently even while public discourse continues to treat an allegation as established fact. Conversely, the absence of demonstrable interference with judicial proceedings does not mean that prejudicial publicity is without consequences. Reputational damage, intimidation, pressure on witnesses and the marginalisation of dissenting views can occur outside the courtroom. India's judge-led system may therefore offer a degree of structural protection against one particular form of media prejudice associated with jury trials, but it cannot insulate the wider society from the effects of collective prejudgment.

The larger concern is not simply whether publicity can invalidate a trial. It is whether the authority of judicial determination can survive in a public environment that has already decided what the judgment ought to be. A legally fair trial may ultimately produce a verdict, but it cannot guarantee that those who have publicly committed themselves to a contrary conclusion will accept it. That is where the problem of trial by media extends beyond criminal procedure into the social psychology of collective belief and the wider conditions of democratic deliberation.

The Limits of Effective Government Communication

The earlier commentary (Sarma, 2025) placed considerable emphasis on anticipatory and transparent communication as a means of preventing information vacuums and narrative capture. A year later, that recommendation requires qualification. It assumes, at least partly, that misunderstanding can be corrected by supplying accurate information at the appropriate time. But not every communication difficulty arises from insufficient information. When an audience has incorporated a particular allegation into its understanding of collective loyalty, factual clarification may be interpreted as betrayal, evasion or weakness (Festinger, 1957; Kunda, 1990). For someone who regards a failure to protect Zubeen as morally equivalent to deliberately killing him, explaining the distinction between negligence and murder may not produce agreement. The disagreement may concern the meaning of responsibility itself. A government can therefore communicate accurately, promptly and transparently without persuading those most committed to a predetermined conclusion. This does not make communication irrelevant. It changes the criteria by which communication should be assessed. The purpose should not be to secure universal acceptance of the government's interpretation. It should be to explain institutional responsibilities, identify what is known and disputed, preserve procedural clarity and enable citizens to understand the legitimate range of judicial outcomes. The executive's most durable

judgment became a reminder that even when power, influence, and silence gather in the shadows, truth can persist. What lingered long after the verdict was the Court's affirmation that justice, though delayed and obscured, need not disappear into the dark.

assurance is not that a particular person will be convicted. It is that credible allegations will be investigated competently, prosecution decisions will be supported by evidence, and the courts' independent determinations will be respected. Such communication may be politically less satisfying than categorical declarations. It is nevertheless more consistent with constitutional governance.

The difficulty is that procedural restraint must be established early. Once public expectations have been shaped by apparent promises of a particular outcome, later explanations of judicial independence may appear to contradict earlier assurances. Communication cannot always repair expectations that communication itself has helped create.

The Missing Intermediaries: Media and Public Intellectuals

The problem cannot be assigned exclusively to government. A functioning public sphere depends on institutions and individuals capable of explaining, questioning and interpreting developments independently of both political authority and collective sentiment. Journalists, editors, lawyers, academics, writers and public commentators perform an important intermediary function. They can distinguish allegations from findings, clarify legal procedures, scrutinise executive statements and challenge unsupported assertions without necessarily adopting a position on the accused persons' guilt. In the Zubeen Garg controversy, one may reasonably ask whether this function has been sufficiently visible.

The question is not whether critical commentary has been entirely absent. That would require a comprehensive review of Assamese and English-language newspapers, television discussions and digital publications. The more specific concern is whether public discussion has adequately sustained several elementary distinctions: between suspicion and proof; between an investigating agency's conclusion and a court's finding; between prosecution and conviction; and between an acquittal resulting from inadequate evidence and an investigation conducted incompetently. These distinctions should not require exceptional legal expertise. They are basic to an informed understanding of criminal justice. Why might they nevertheless receive insufficient attention? Several explanations are plausible. Some commentators may genuinely accept the dominant allegation. Others may be reluctant to risk appearing insensitive to the family or disloyal to a widely admired cultural figure. Media incentives may favour confrontation, emotional immediacy and categorical statements over procedural explanation (Noelle-Neumann, 1974). Political polarisation can further narrow the space for independent analysis. A procedural objection to the Chief Minister's language may be interpreted as partisan opposition, while questioning a criminal allegation may be treated as defending the accused. These possibilities remain hypotheses rather than established findings about particular journalists or institutions. Yet they point to an important weakness in a public sphere: when the social cost of qualification becomes high, those capable of providing qualification may choose silence. The resulting problem is not merely that some citizens fail to reason independently. It is that the institutions ordinarily expected to support independent public reasoning may become less effective precisely when their contribution is most needed.

Justice as Process or Predetermined Outcome?

The central issue can now be stated more directly. A movement demanding justice may understand its objective in two different ways. In one understanding, justice means establishing the facts through competent investigation and fair adjudication, holding those proved responsible accountable and protecting the rights of everyone involved. In another, justice becomes identified with the punishment of particular individuals whose guilt is already assumed.

The first understanding is compatible with uncertainty. The second finds uncertainty increasingly intolerable. These orientations may coexist within the same movement and even within the same individual. A person may sincerely profess respect for the judiciary while

finding it emotionally difficult to accept a decision inconsistent with a deeply held belief. Such tensions are not unusual in human judgment.

But they become institutionally consequential when public authorities are expected to resolve them by guaranteeing outcomes they have no legitimate power to guarantee. The dilemma is especially acute in a democracy. Political leaders are accountable to public opinion, but criminal courts are not instruments for ratifying public opinion. Their legitimacy depends substantially on their capacity to reach decisions independently of it. A government may therefore face a situation in which politically reassuring language and institutionally responsible conduct pull in different directions. No communication strategy can entirely eliminate this conflict. The challenge is to prevent the conflict from eroding the distinction between public demands and judicial authority.

Discussion: The Epistemic Conditions of Democratic Justice

The Zubeen Garg episode illustrates the interaction of several processes that are analytically distinguishable but may reinforce one another. An unexpected and emotionally significant death creates a demand for explanation. Proximity and perceived responsibility provide identifiable objects of suspicion. Repetition and social identification strengthen particular interpretations. Digital visibility makes categorical belief appear more widely shared than can necessarily be demonstrated. Public figures and institutions respond to the resulting pressure. Their responses may then be incorporated into the narrative as further confirmation.

Over time, the interpretation can become difficult to reconsider without incurring reputational costs (Festinger, 1957; Sunstein, 2002). None of these processes establishes that the underlying criminal allegation is true or false. Nor does the presence of collective emotion invalidate demands for accountability. The problem arises when the public conditions for revising a belief become progressively weaker.

A criminal justice system is designed to examine allegations that may initially appear compelling. Its procedures are meaningful precisely because appearances, confidence and collective conviction can be mistaken. The presumption of innocence is not an expression of indifference towards victims. It is a protection against the consequences of treating accusation as proof. Likewise, judicial independence is not a device for frustrating public demands for justice. It is a condition under which those demands can be evaluated without being predetermined by their intensity. The implications extend beyond criminal law.

Public reasoning depends on the ability to distinguish what is known from what is inferred, what is possible from what is probable, and what is morally troubling from what has been legally established. These distinctions can become particularly fragile when an event is closely associated with collective identity. A society may possess highly educated institutions, sophisticated media and widespread digital participation while still struggling to preserve these habits of judgment. The issue is therefore not simply misinformation or inadequate education. It concerns the social incentives governing the expression, revision and public defence of beliefs.

Conclusion

One year after Zubeen Garg's death, the most revealing question may no longer be how the original public narrative emerged. It may be how that narrative responds when confronted with the independent requirements of criminal adjudication. The initial outpouring of grief was an extraordinary expression of collective attachment. Subsequent allegations required investigation. The resulting prosecution deserves fair judicial examination. None of these propositions requires the others to be confused. A demand for accountability does not establish intentional wrongdoing. A chargesheet does not establish guilt. A competent prosecution does not guarantee conviction. And an acquittal, should one eventually occur, would not automatically establish prosecutorial incompetence. The government's responsibility

is to ensure that lawful institutions perform their duties competently and independently. The media and public intellectuals have a complementary responsibility to sustain the distinctions that make those duties intelligible. The law may protect the courtroom from public prejudgment, but it cannot by itself ensure that the public remains willing to reconsider its own verdict. When certainty becomes a demonstration of loyalty, uncertainty can appear disloyal. When disagreement carries reputational costs, visible unanimity becomes less informative. When justice is identified with a predetermined verdict, the very purpose of a trial becomes difficult to comprehend. The question, ultimately, is not whether a grieving society can be persuaded to feel less deeply. It is whether that society can preserve the freedom to think independently while feeling deeply. The answer matters far beyond this case.

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Ethical Approval and Conflict of Interest

This commentary does not require ethical approval; however, it has been developed in accordance with the ethical principles embodied in the Helsinki Declaration. The author declares unequivocally that there are no financial, professional, or personal conflicts of interest associated with this work.

At the same time, this commentary is informed by the author's multifaceted positionality: as a clinician-researcher grounded in biomedical inquiry, a literary scholar and writer, and an engaged public figure involved in grassroots initiatives across Assam, his home state. This unique convergence of professional, intellectual, and civic engagements affords a distinctive vantage point from which to observe and interpret the state's evolving socio-cultural landscape and digital public sphere.

The author's reflections draw upon both rigorous scientific training and sustained field-level experience. Nevertheless, this piece is not intended as a formal contribution to social science scholarship. Rather, it is consciously presented as the considered perspective of a practitioner, public intellectual, and engaged citizen whose observations emerge from long-standing professional and community involvement.

Declaration of AI-Assisted Writing

The author used OpenAI's ChatGPT (GPT-6) to assist with conceptual exploration, organisation of arguments, literature identification and manuscript drafting. The author independently verified the factual claims, legal authorities and references, critically reviewed the manuscript, and takes full responsibility for its intellectual content, originality, scholarly integrity and final form.

Informed Consent

Does not arise.

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