Sikh Federation (UK)

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UK Government must take urgent decisive action to get charges dropped against Jagtar Singh Johal and bring him home

After a 14-week window an alleged Indian government agent living in the UK failed this morning to turn up to give evidence via a secure video link for protected witnesses facilitated by the UK Government

London - 14 October 2026

India's National Investigation Agency (NIA) today were scheduled to produce a protected witness living in the UK to give evidence against Jagtar Singh Johal via a secure video link from a secure, government-approved location, often a designated UK court building or a highly secure diplomatic briefing room.

In July 2026 the Special NIA Court granted a 14-week window specifically to give the prosecution and British authorities enough time to finalise arrangements for the secure video link from the UK. The protected witnesses safety and anonymity are paramount so the UK Government has to assist with the technical encryption of the video link so it cannot be intercepted or traced.

The UK government is required to facilitate secure video links for protected witnesses. This involves a combination of judicial cooperation, diplomatic scheduling and high-security infrastructure . The NIA could not simply set up an independent video call; they had to legally interface with the UK authorities to coordinate the logistics.

The Indian government had to route a formal request through the Mutual Legal Assistance Treaty (MLAT) framework. The Home Office and the Foreign, Commonwealth and Development Office (FCDO) act as the administrative intermediaries. They are responsible for reviewing the request, verifying the legal protocols and establishing contact with the protected witnesses on British soil.

Jagtar Singh Johal was released on bail on 1 October after nearly nine years in arbitrary detention in an Indian jail, following a prolonged ordeal. No credible evidence has been produced or exists against him.

The Delhi High Court had originally granted Jagtar bail on 18 September. The prison authorities however refused to release Jagtar as India's Ministry of Home Affairs (MHA) had given them a legal notice regarding the bail order.

It required an emergency writ of habeas corpus to be filed by Jagtar's lawyers with the Delhi High Court and the judge giving the prison authorities a strict three-hour ultimatum to release Jagtar or the prison authorities and MHA would be found in contempt of court.

We can reveal today we provided confidential information in a letter to the Prime Minister on 9 September copied to the Foreign Secretary. That letter to the PM raised serious concerns that if the protected witness existed and was living in the UK that he may prove to be a fake witness. It continued that if he is an Indian government agent he should be investigated.

We have remained in constant contact with senior UK Government figures in recent weeks raising concerns about the potential protected witness's background, credibility and alleged links to the Indian Government.

Dabinderjit Singh OBE, Chief Executive for political engagement at the Sikh Federation (UK), responding to today's developments and revelation about the protected witness, if one exists, said:

"The perfect circumstances now exist for the UK Government to take urgent decisive action to get charges dropped against Jagtar Singh Johal and bring him home.

"Jagtar has been released on bail, the Indian government has been exposed for interring in the legal process and threatened with contempt of court, there are major concerns about Jagtar's safety and security and there are serious questions about the credibility of any potential protected witness living in the UK.

"The concerns raised about the potential protected witness's background and alleged links to the Indian Government should have triggered a proper intelligence-led investigation. The British authorities have a duty to investigate credible claims of foreign state activity on UK soil.

"The Foreign Secretary Ed Miliband discussed Jagtar's case, including his bail, with his Indian counterpart on the side lines of the UN General Assembly in New York on 24 September, but did he also raise concerns about the credibility of the protected witness?

"We now want to know whether the UK authorities have examined our concerns and are doing everything in their power to jet Jagtar home."

The UK government is technically required to facilitate judicial requests under international law. However, a major dilemma for the UK Government in this case is Jagtar faces the death penalty and the UK has a strict, categorical opposition to the death penalty. If UK agencies assist the prosecution by organising witness testimonies without explicit guarantees that the death penalty is off the table, they risk legal challenges in British courts.

There is also the "tip-off" controversy because it has been alleged that UK intelligence services (MI5/MI6) originally provided the "tip-off" that led to Jagtar's arrest and alleged torture in India. This puts the UK government under intense domestic parliamentary pressure regarding how closely they cooperate with the NIA.

Dabinderjit Singh added:

"Jagtar has spent nearly nine years trapped in a legal process in India. His release on bail on 1 October should have marked the start of his return home. Instead, the case drags on.

"If unlawful activity on behalf of a foreign state is taking place in Britain, it must be investigated properly. The rule of law cannot be applied selectively and British citizens must not be left unprotected when they face injustice abroad."

"The Labour leadership backed Jagtar's release and return in opposition. Now the Government under new leadership must prove those commitments mean something.

"We need urgent engagement with the Indian authorities and the full use of lawful diplomatic and national security powers to bring Jagtar home."

The Sikh Federation will continue pressing the UK Government for answers and for action to secure Jagtar's safe return to Scotland.

ENDS

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