

DEATH PENALTY IN INDIA



PROJECT 39A
EQUAL JUSTICE
EQUAL OPPORTUNITY

ANNUAL ■ STATISTICS ■ REPORT ■ 2024

LIST OF CONTRIBUTORS

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GLOSSARY OF TERMS

BNSS	Bharatiya Nagarik Suraksha Sanhita, 2023
BNS	Bharatiya Nyaya Sanhita, 2023
BSA	Bharatiya Sakshya Adhinyam
CrPC	Criminal Procedure Code, 1973
IEA	Indian Evidence Act, 1872
IPC	Indian Penal Code, 1860
LWOR	Life imprisonment without the possibility of release through state remission, either for a fixed term or for the whole life

INDEX

List of Contributors	1
Glossary of Terms	1
Foreword	4
Overview of Developments in 2024	6
Prisoners on Death Row	9
State-Wise Distribution of Persons on Death Row	10
Duration on Death Row	11
Death Penalty Cases 2024	12
Sessions Courts in 2024	13
State-Wise Distribution of Death Sentences Imposed by Sessions Courts	14
Nature of Offence for Those Sentenced to Death by Sessions Courts in 2024	16
Death Penalty in Cases of Sexual Offences	18
Duration Between Conviction And Sentencing in Sessions Court Death Penalty Cases	20
Sentencing Material	23
High Courts In 2024	24
Nature of Offence at the High Courts	26

Sentences upon Commutation	28
Nature of Offence in Commuting Sentences at the High Court	30
Disposal of Death Penalty Cases By High Courts	32
High Court Acquittals in 2024	34
High Court Commutations in 2024	41
High Court Confirmations in 2024	60
High Court Remitted Cases in 2024	63
Supreme Court in 2024	64
Nature of Offence at the Supreme Court in 2024	66
Supreme Court Sentences Imposed Upon Commutation of Death Sentence in 2024	68
Supreme Court Commutations in 2024	70
Supreme Court Acquittals in 2024	76
Developments in the Law	77
International Developments	81
Final Observations	83
Corrections to Annual Statistics	85

FOREWORD

This is the ninth edition of the Death Penalty in India: Annual Statistics Report published by Project 39A at National Law University, Delhi.

2024 saw the highest number of people living under a sentence of death since the turn of this century, with 564 prisoners on death row at the end of the year. This reflects a continuing and unabated increase in the death row population, with a 41% increase since the compilation of the Annual Statistics report in 2016. Trial courts contributed to these high figures by imposing 139 death sentences in 2024. Notably, however, all except 4 death sentences were imposed without compliance to the Supreme Court's guidelines on death penalty sentencing laid down in *Manoj v. State of Madhya Pradesh* in May 2022.

Significantly, the year also witnessed an increase in confirmation of death sentences at the High Court level, even as the Supreme Court did not confirm a single death sentence for the second consecutive year. High Courts disposed of death penalty cases without seeking reports pertaining to the accused's mental health, life circumstances and jail conduct in all but 12 cases involving 18 prisoners. In contrast, the Supreme Court continued to elicit such reports in its death penalty decisions – a trend that has persisted since 2021. These trends reflect a divergence between decisionmaking in death penalty cases between the High Courts and the Supreme Court this year.

In death penalty commutations since 2016, appellate courts have increasingly imposed life imprisonment without the possibility of release through remission (LWOR) when commuting death sentences. The High Courts imposed LWOR for 61.14% of prisoners whose death sentences were commuted, while the Supreme Court imposed the same for 3 out of 4 prisoners. The majority of LWOR sentences were imposed in sexual offence cases at the High Court, indicating the sway that this category of offence holds in death penalty decisions.

This report follows the same methodology as previous years. We relied on news reports to gather information and updates on death sentences, which were then verified using the e-courts platforms of trial courts and appellate courts. Since 2023, we also track and analyse trial court judgments to assess their compliance with the Supreme Court's decision in *Manoj v. State of Madhya Pradesh* (2022) that directed trial courts to call for and consider relevant materials while deciding the sentence.

We would like to thank Rehan Mathur (Year IV, National Law University Delhi) for his valuable efforts in compiling and verifying the data for this report.

This report would not have been possible without the efforts of Varsha Sharma, Pritam Raman Giriya and Ashna Devaprasad who were instrumental in developing the original directory and database on the death penalty in India. Lubhyathi Rangarajan, Peter John, Poornima Rajeshwar, Rahul Raman, Neetika Vishwanath, Preeti Pratishruti Dash, Gale Andrew, Aishwarya Mohanty, Hrishika Jain, Adrija Ghosh and Snehal Dhote have played key roles in developing previous editions of this report.

OVERVIEW OF DEVELOPMENTS IN 2024

At the end of 2024, 564 people were living under a sentence of death in India. This marks the highest number of people on death row since the turn of this century.¹ These figures denote a steady growth in the death row population that we have witnessed in the last decade since the compilation and release of death penalty statistics annually by Project 39A. In the same year with the highest death row population since 2000, trial courts imposed death sentences in the absence of information about the accused in at least 84% of all death penalty cases.

The high rate of death sentences, coupled with low rates of disposal by the High Courts over the years, can be attributed to the growth in death row numbers. While trial courts imposed a higher than average rate of death sentence (with 139 death sentences), no information about the accused (including reports on their psychiatric evaluations, jail conduct and life circumstances) was sought or relied upon by trial courts for at least 90.5% of all death sentences. Failures by the trial courts to elicit such information about the accused persisted for the third year in a row despite the Supreme Court's directions to call for and consider such information in death penalty cases in *Manoj v. State of Madhya Pradesh* (May 2022).

Murder simpliciter dominated the offences for which death sentences were imposed (62.60% of all death sentences). This indicates a change in the offences for which death sentences are imposed, given that sexual offences had comprised the majority of death sentences and cases between 2019 to 2023. 8 death sentences were imposed on women this year for the offences of murder, and kidnapping with murder, marking a significant increase in the number of death sentences imposed on women since 2016. Through these figures, the number of women on death row in India now stands at 17.

¹ Prison Statistics India Report (2004), National Crime Records Bureau. Previously, the year 2004 had the highest number of prisoners on death row at 563 prisoners.

High Courts across the country confirmed death sentences for 9 prisoners in 9 cases, and commuted the sentences of 79 prisoners in 53 cases. While commutations dominated case outcomes at the High Courts, 2024 marks the highest number of death sentence confirmations by High Courts in a single calendar year since 2019. Similar to practices at the trial courts, High Courts sought information about the accused in only 19.40% of all death penalty cases where sentencing had taken place. 5 death sentence confirmation cases at the High Courts were decided in the absence of such information.

Death sentences were confirmed for 4 prisoners who had been convicted of sexual offences (comprising 26.60% of all prisoners convicted for sexual offences before the High Court). They were also confirmed for 3 prisoners who had been convicted for murder (comprising 0.091% of all prisoners convicted for murder simpliciter before the High Court) and 1 prisoner who had been convicted for kidnapping with murder. These rates signify the continuing influence of sexual offences on outcomes in death penalty cases, despite a downward shift at trial courts.

LWOR sentences dominated commutations at the High Court level in 2024. This particular formulation of the life sentence was a judicial creation by the Supreme Court in *Swamy Shraddhananda* (2008)² which was later upheld by a five-judge (Constitution) bench of the Supreme Court in *Union of India v. Sriharan* (2015).³ While commuting death sentences, the High Courts have increasingly turned to the use of LWOR sentences, with High Courts imposing LWOR sentences in the majority of commutations since 2020. This year, 61.14% of all commutations resulted in an LWOR sentence.

The Supreme Court did not confirm a single death sentence for the second calendar year in a row. Instead, the Court commuted death sentences for 4 out of the 5 prisoners whose appeals were heard in

² Criminal appeal no. 454 of 2006, Supreme Court of India [order dt. 22.07.2008].

³ Writ petition (Crl) no. 48 of 2014, Supreme Court of India [order dt. 02.12.2015].

OVERVIEW OF DEVELOPMENTS IN 2024

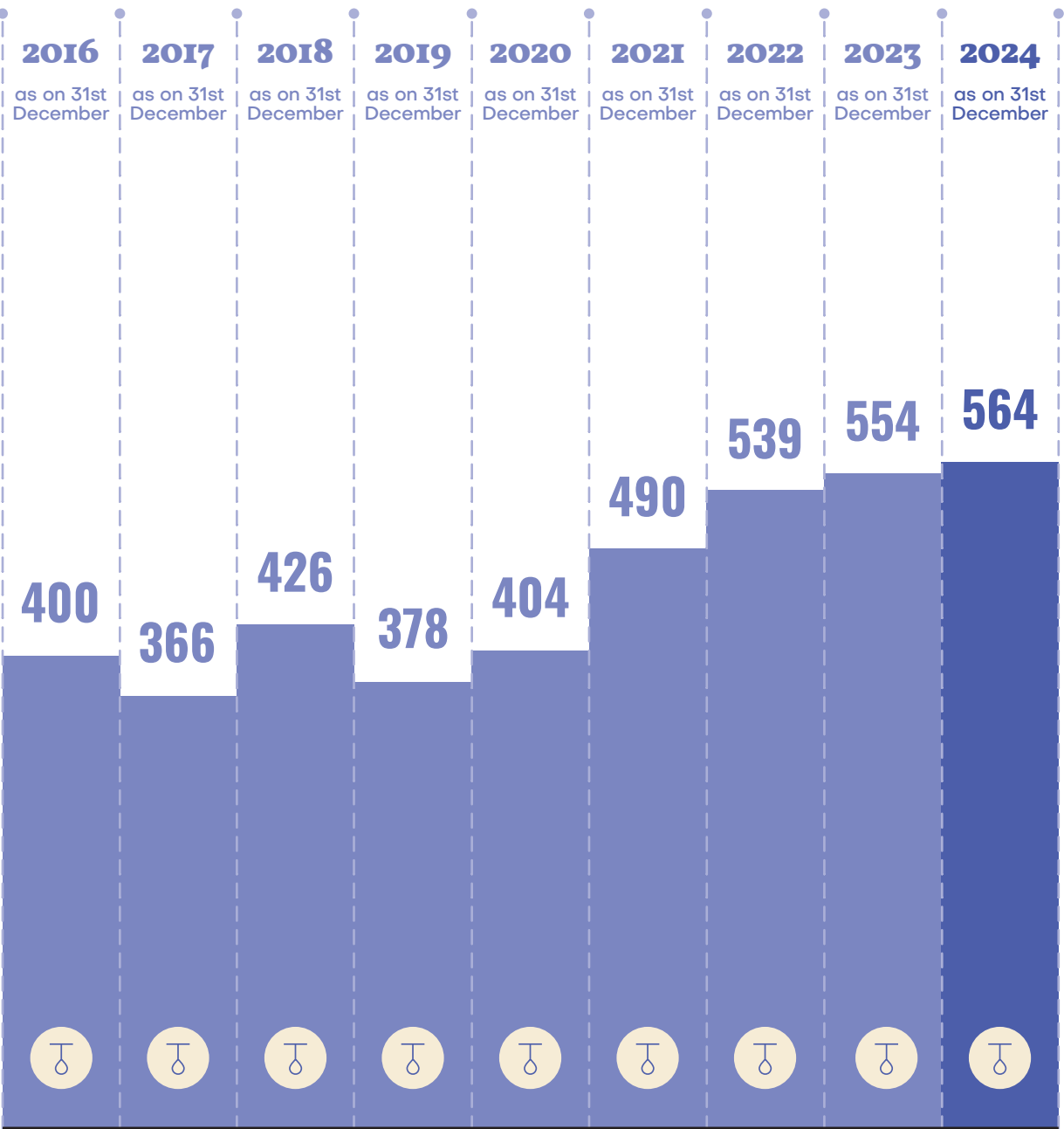
2024, and acquitted 1 prisoner. The Court also commuted the death sentences of 2 prisoners in a review petition. In a continuation of past year trends since 2021, the Court relied on reports pertaining to the accused's life history, jail conduct and mental health evaluations in its death penalty decisions. Similar to the trends in High Court commutations, the Supreme Court relied on LWOR sentences when commuting death sentences for all but 1 prisoner.

Developments in law witnessed the expanded use of the death penalty for various offences, and ushered changes to the administration of mercy petitions. In August 2024, the West Bengal Legislative Assembly passed the Aparajita (Women and Child) Protection Bill, 2024 to effect harsher punishments for sexual violence. The Bill introduces the mandatory death sentence for aggravated rape leading to death or persistent vegetative state, and makes non-homicidal rape against an adult woman punishable with the death penalty. The Bill is now pending the approval of the President. The Bharatiya Nyaya Sanhita, 2023 (BNS), which replaced the Indian Penal Code, 1860, introduced the death penalty for 4 new offences, thereby expanding the use of this punishment.

In a bid to ensure speedy disposal of mercy petitions filed by death row prisoners, the Bharatiya Nagarik Suraksha Sanhita, 2023 (which replaced the Criminal Procedure Code, 1973) introduced a procedural framework for processing mercy petitions filed by death row convicts. The BNSS lays out restrictive conditions for death row prisoners in filing mercy petitions to the Governor or to the President, by limiting the people who can file such petitions on behalf of the prisoner. Additionally, the BNSS introduces timelines for the filing and processing of such petitions. In December 2024, a three-judge bench of the Supreme Court issued guidelines to trial courts and State governments to ensure efficient processing of mercy petitions and death sentence warrants, but cautioned against the reliance on hard-and-fast timelines for the filing and disposal of mercy petitions.⁴

⁴ State of Maharashtra and Ors v. Pradeep Yashwant Kokade, Criminal Appeal No. 2832 of 2023, Supreme Court of India [order dt. 09.12.2024].

PRISONERS ON DEATH ROW

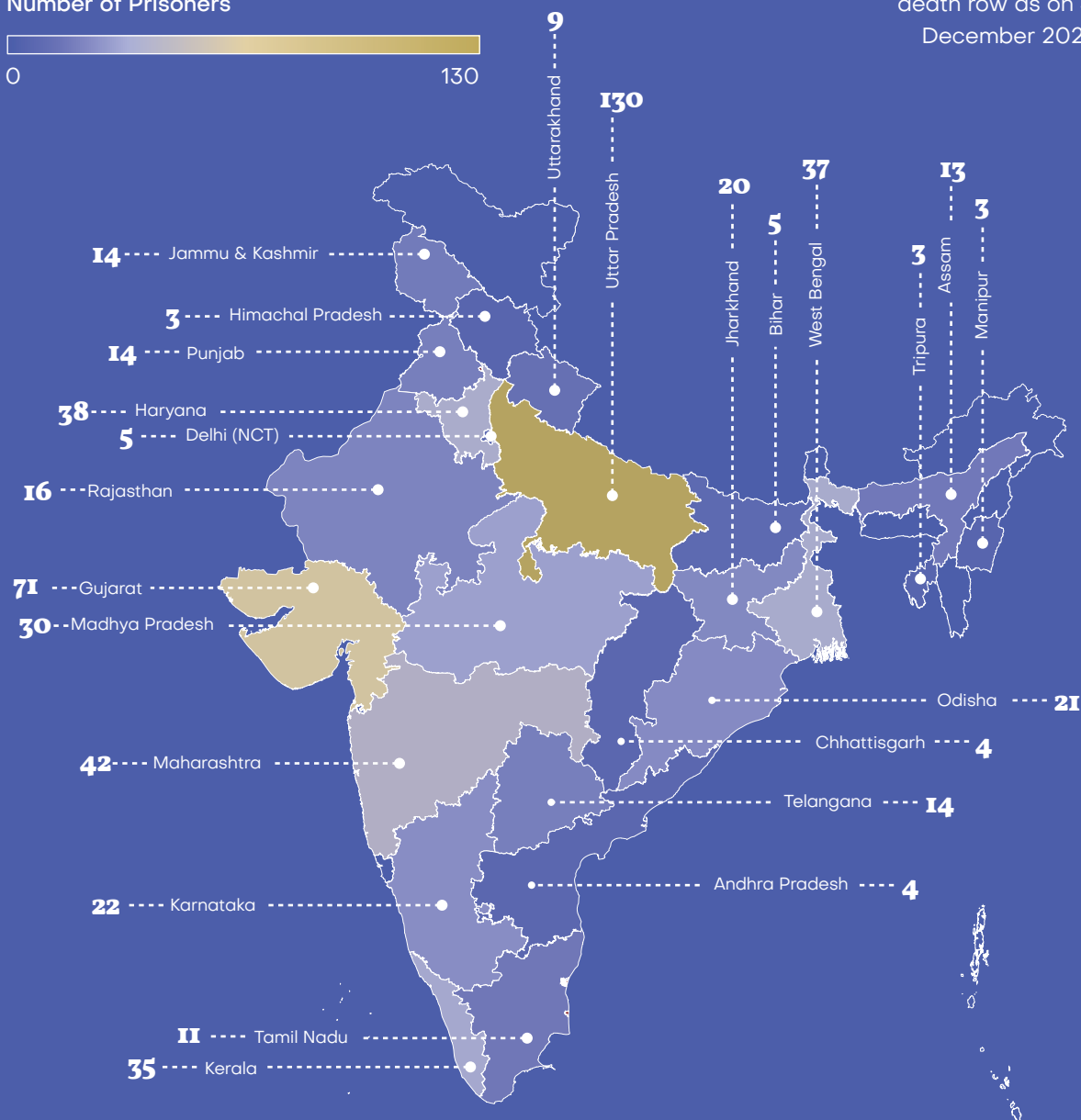


STATE WISE DISTRIBUTION OF PERSONS ON DEATH ROW

564

Prisoners on
death row as on 31st
December 2024

Number of Prisoners



Number of women on death row



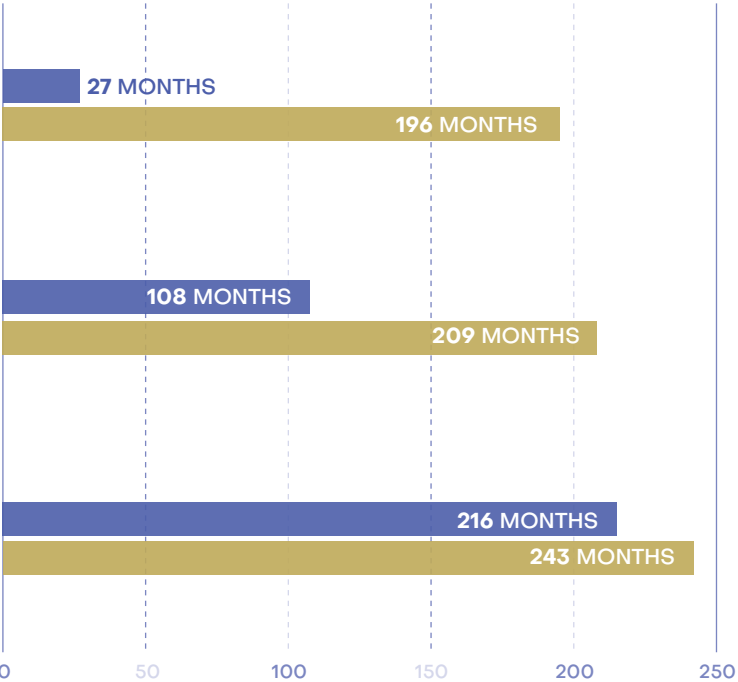
DURATION ON DEATH ROW

■ Median Duration ■ Longest Duration

Number of Prisoners
on Death Row on
31st December 2023

Duration

HIGH COURTS
(CONFIRMATION
PROCEEDINGS)



SUPREME COURT
(CRIMINAL APPEAL
AND RELATED
PROCEEDINGS)



**POST-MERCY
PROCEEDINGS**
AT HIGH COURTS &
SUPREME COURT



DEATH PENALTY CASES 2024

Prisoners (Cases)

 Death Sentences

 Confirmations

 Commutations

 Acquittals

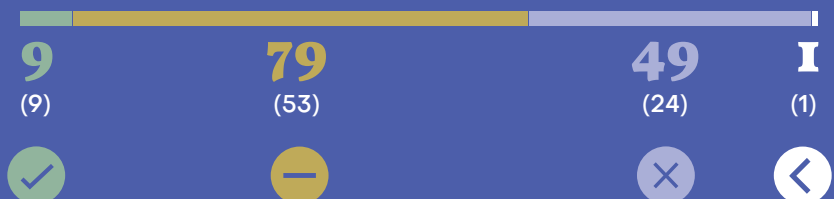
 Remanded



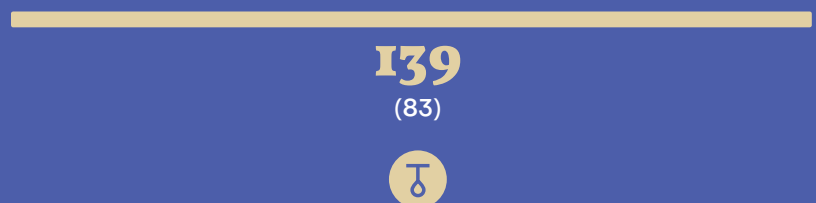
SUPREME COURT



HIGH COURTS



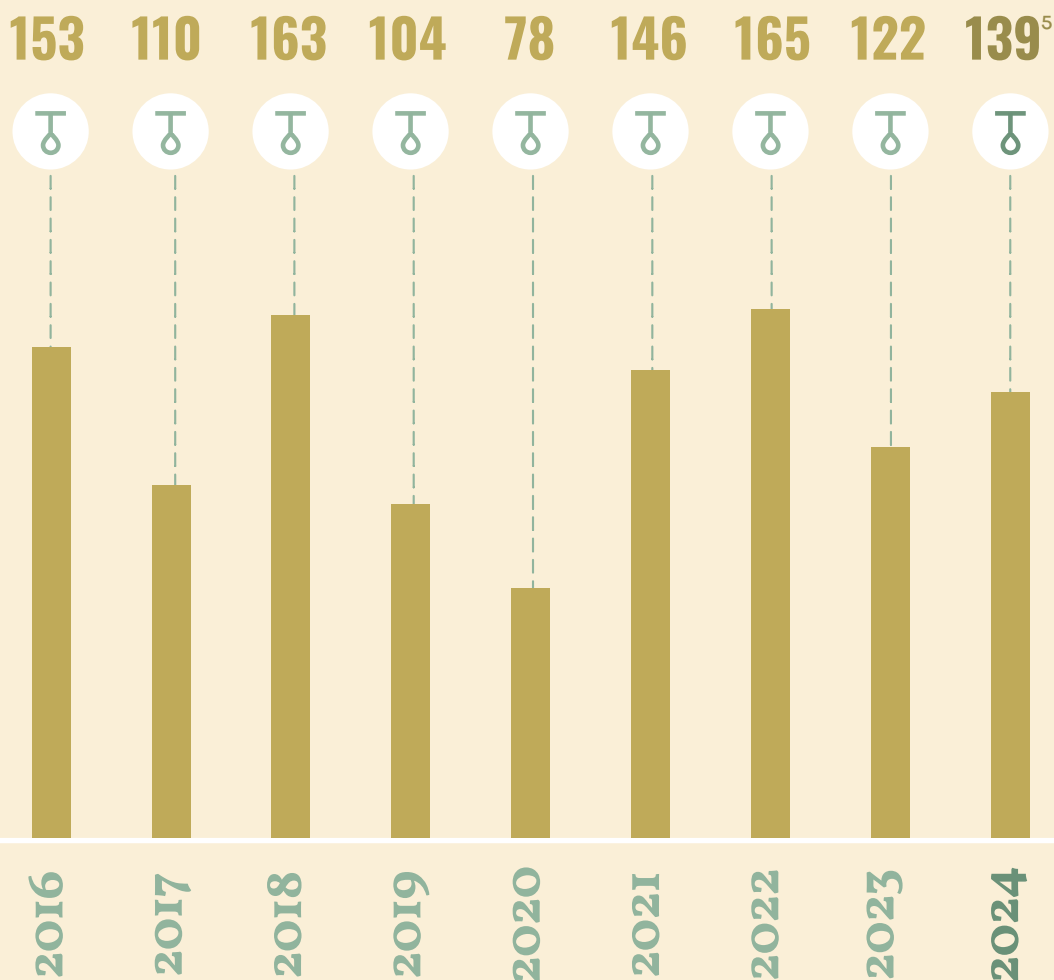
SESSIONS COURTS



* 1 case, involving 2 prisoners, was decided through a review petition at the Supreme Court.

SESSIONS COURTS IN 2024

Number of Death Sentences Imposed by Sessions Courts

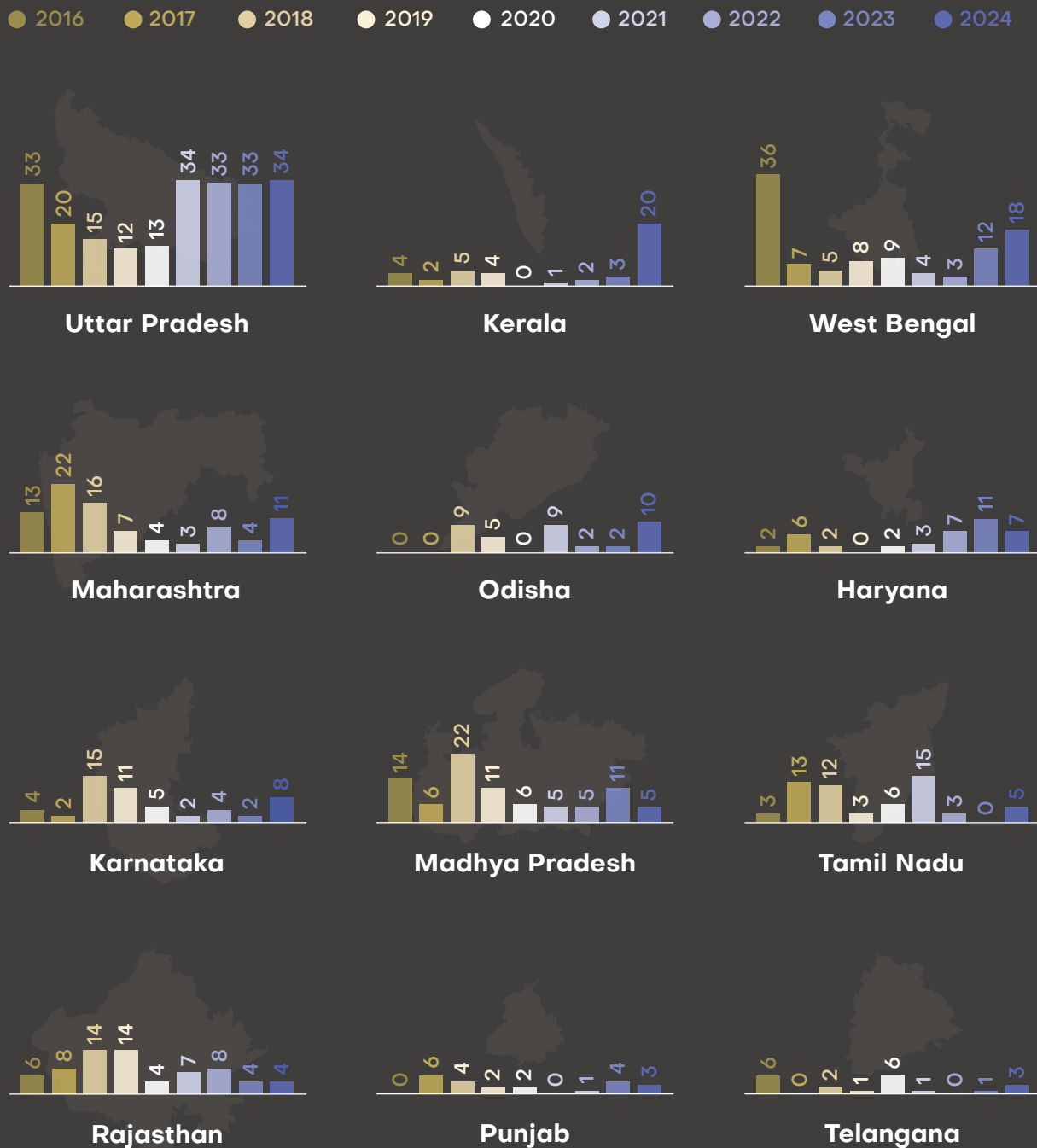


Women Sentenced to Death in 2024



⁵ A Sessions Court in Alappuzha, Kerala had sentenced 14 people to death in a single case involving the murder of a political party rival in *State of Kerala v. Naisam and Ors.*

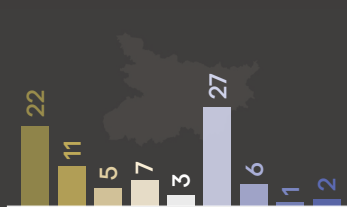
STATE-WISE DISTRIBUTION OF DEATH SENTENCES IMPOSED BY SESSIONS COURTS



Total Death Sentences



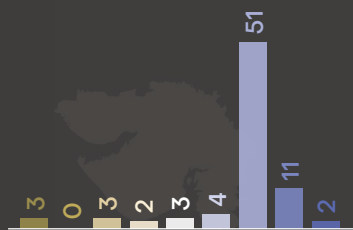
Andhra Pradesh



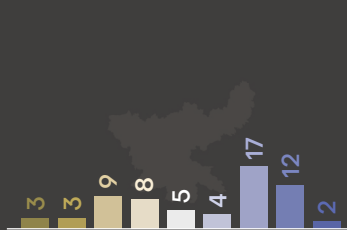
Bihar



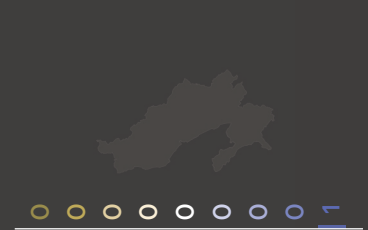
Chhattisgarh



Gujarat



Jharkhand



Arunachal Pradesh



Delhi (NCT)



Tripura



Assam



Jammu and Kashmir

State wise distribution
of women sentenced to
death in 2024

Kerala 1

Madhya Pradesh 1

Maharashtra 1

Punjab 1

Uttar Pradesh 2

West Bengal 2

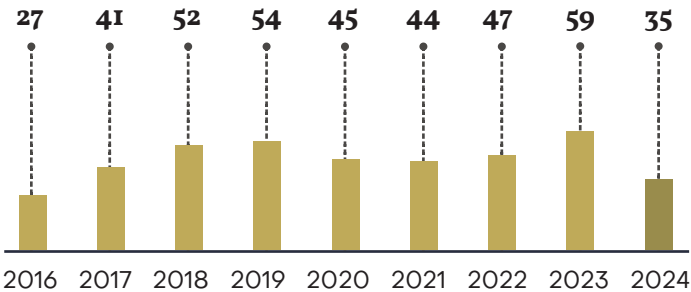
NATURE OF OFFENCE FOR THOSE SENTENCED TO DEATH BY SESSIONS COURTS IN 2024

Number of Death Sentences

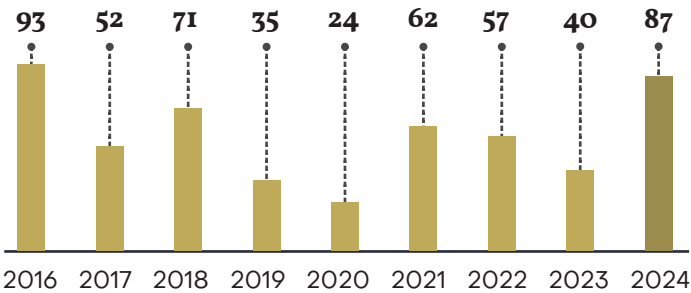
Offences for which women were sentenced to death

- Murder simpliciter 5
- Dacoity with murder 2
- Kidnapping with murder 1

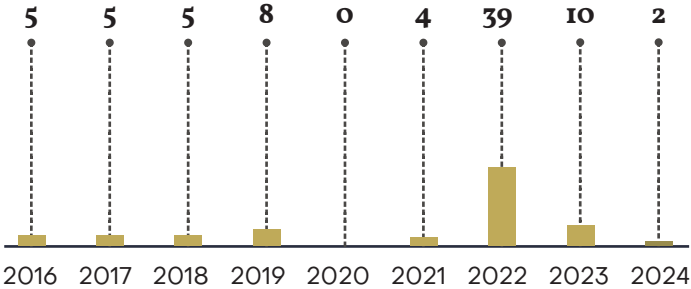
Murder involving Sexual Offences



Murder Simpliciter

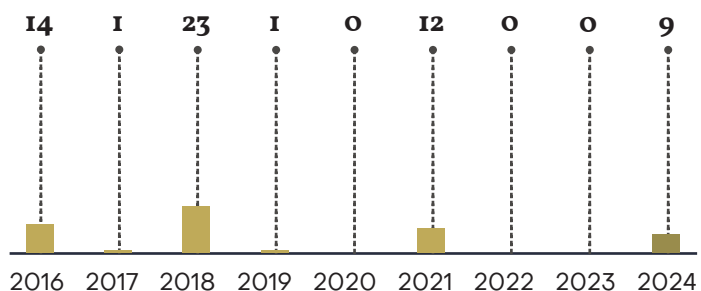


Terror Offences

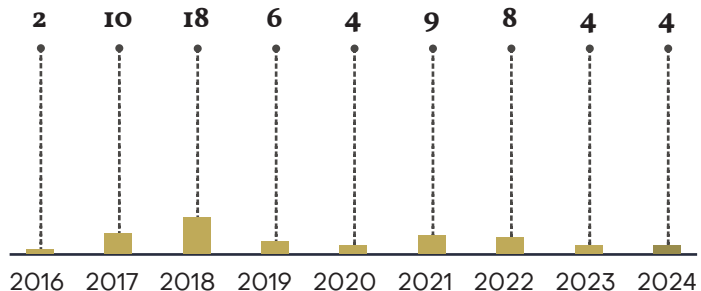


NATURE OF OFFENCE FOR THOSE SENTENCED TO DEATH BY SESSIONS COURTS IN 2024

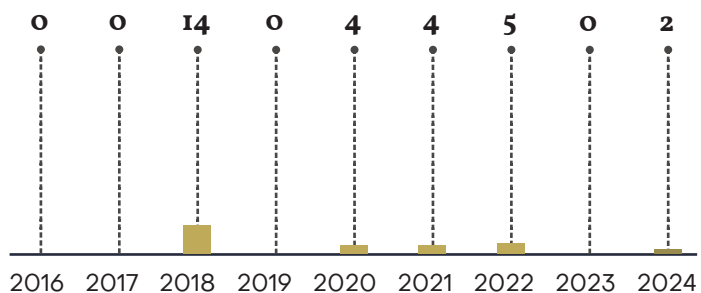
Dacoity with Murder



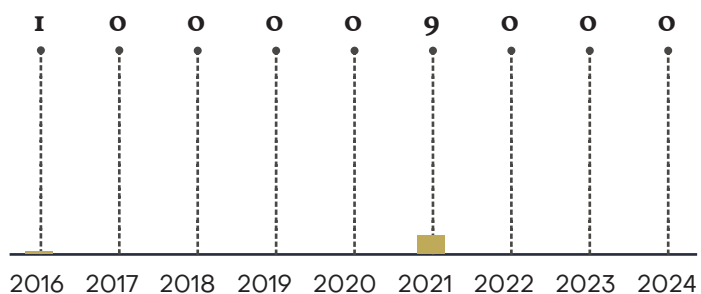
Kidnapping with Murder



Child Rape without Murder

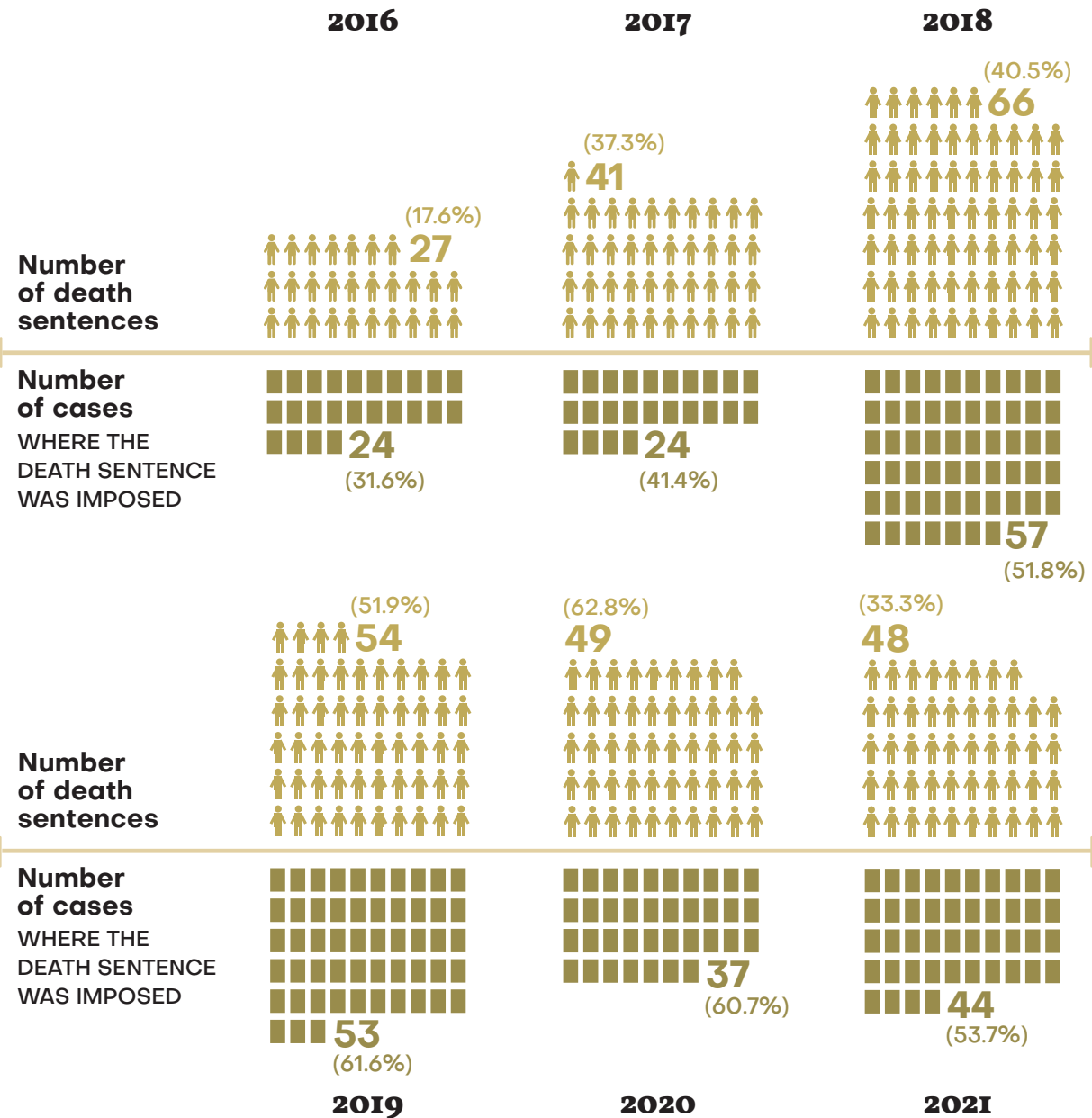


Others⁶

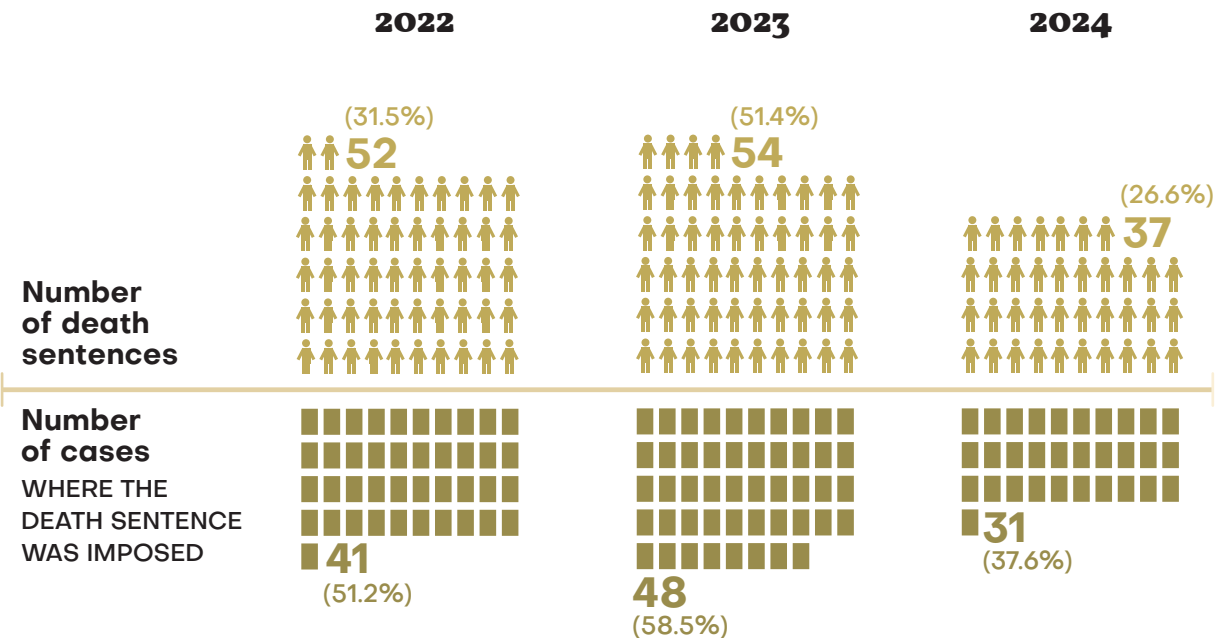


⁶ Includes offences for which no death sentence was imposed this year. In 2021, these include drug offences and a case that involved the sale of spurious liquor which resulted in the deaths of multiple persons.

DEATH PENALTY IN CASES OF SEXUAL OFFENCES



In 2024, sexual offences comprised 26.62% of all death sentences imposed by trial courts in the calendar year. This year marks a downward shift in the imposition of death sentences for sexual offences by trial courts. Since 2019, sexual offences have comprised the majority of death sentences imposed in India, accounting for over 50% of all death penalty cases at trial courts in each calendar year since then. This is the first calendar year since 2019 where these offences comprise less than half of all capital cases and death sentences.



DURATION BETWEEN CONVICTION AND SENTENCING IN SESSIONS COURT DEATH PENALTY CASES

Section 235(2) of the Criminal Procedure Code, 1973⁷ bifurcates criminal trials into conviction and sentencing stages, and mandates courts to hear the accused during the sentencing stage. In death penalty cases, the CrPC also requires courts to provide special reasons to impose a death sentence. A five-judge (Constitution) Bench of the Supreme Court in *Bachan Singh v. State of Punjab* (1980) laid down a broad framework to be followed to determine whether special reasons exist, which includes assessing aggravating and mitigating circumstances (with an additional emphasis on the latter). Further, the judgment also required the State to prove that the accused could not be reformed before a death sentence could be imposed.

These requirements can be met only through information about the accused, including their mental health, age, life experiences and circumstances amongst others. This information (which is otherwise unavailable in a case file) requires an in-depth investigation involving interviews with the accused and their family members. Recognising the lack of information about the accused in death penalty sentencing, the Supreme Court in *Manoj v. State of Madhya Pradesh* (May 2022) had directed trial courts to gather reports on the mental health, jail conduct, and other personal circumstances of the accused. Further, the Court had also directed the State to lead materials on the question of reform, including information on their jail conduct.

Gathering such reports and information require sufficient time, and must be undertaken by social scientists who have the skills and expertise to undertake this inquiry. Currently, there is a lack of clarity in law over the time required for sentencing. Some decisions of the Supreme Court have found that death sentences can be imposed even on the same day of conviction,⁸ whereas

⁷ The provision has been replicated by the BNSS under Section 258 (2).

⁸ B A Umesh v. State of Karnataka, Criminal Appeal Nos. 285-286 of 2011; Vasanta Sampat Dupare v. State of Karnataka, Criminal Appeal Nos. 2486-2487 of 2014; Mukesh v. State of NCT (Delhi), Criminal Appeal Nos. 607-608 of 2017; Accused X v. State of Maharashtra, Criminal Appeal Nos. 680 of 2007.

DURATION BETWEEN CONVICTION AND SENTENCING IN SESSIONS COURT

some others have raised concerns over fair trial violations involved in sentencing people within a day of conviction.⁹ This conflict in the law was recognised by the Supreme Court in September 2022, which then referred the question of laying out adequate time to conduct a ‘real, meaningful and effective’ sentencing hearing in death penalty cases to a five-judge (Constitution) bench of the Court.¹⁰ While submissions before the Constitution Bench were called for and placed before the Bench in 2023, the Supreme Court was yet to hear the matter in 2024.

⁹ Allaudin Mian v. State of Bihar, Criminal Appeal Nos. 343 and 446 of 1988; Rangaswamy v. State of Tamil Nadu, AIR 1989 SC 1137; Dattaraya v. State of Maharashtra, Criminal Appeal Nos. 1110–1111 of 2015.

¹⁰ In re: Framing Guidelines Regarding Potential Mitigating Circumstances to be Considered While Imposing Death Sentences, Suo Moto Crl Writ Petition No. 1 of 2022.

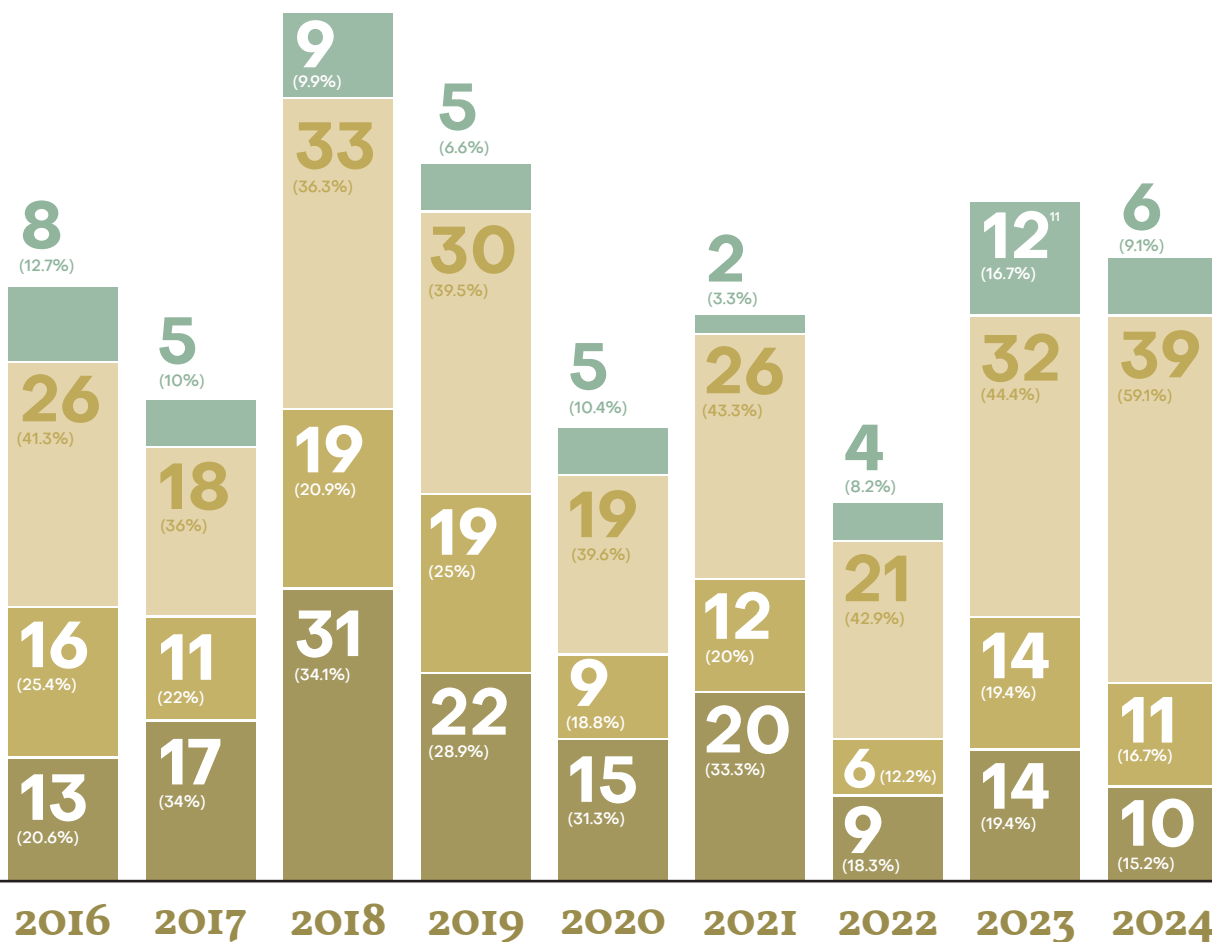
Duration between conviction and sentencing hearing in 2024

Death sentences were imposed on the same day, or within one day of conviction, in at least 31.87% of death penalty cases at the trial courts in 2024. 59.10% (66 out of 139 death sentences) in 39 cases were imposed within 2-7 days from conviction. Trial courts imposed death sentences after one week from conviction in only 9.10% of all death penalty cases.

Days (Proportion of cases with information available)

0 days 1 day 2-7 days More than a week

Year	Availability of information on dates
2016	63 out of 76 cases
2017	50 out of 58 cases
2018	91 out of 111 cases
2019	76 out of 86 cases
2020	48 out of 61 cases
2021	60 out of 82 cases
2022	49 out of 58 cases
2023	72 out of 90 cases
2024	66 out of 83 cases



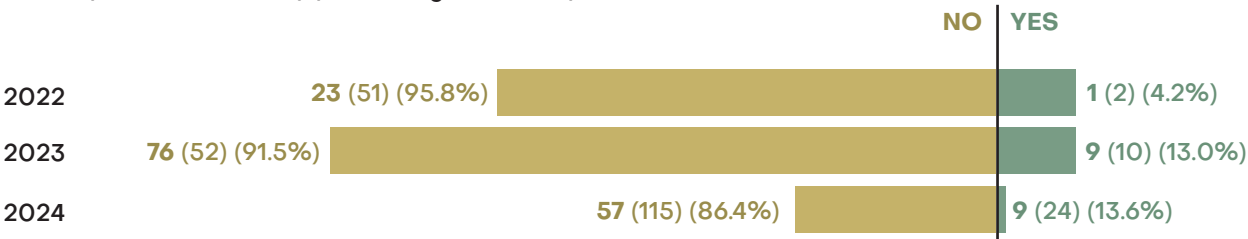
¹¹ Includes 1 case in which a death sentence was imposed 508 days after the conviction order.

SENTENCING MATERIAL

In contravention of the Supreme Court's decision in *Manoj v. State of Madhya Pradesh* (2022), trial courts failed to seek reports on both mental health evaluations and jail conduct of the accused in all but 6 out of the 66 death penalty cases¹² (7.60%), involving 21 death sentences. An additional 4 cases (7.60%), involving 4 death sentences, saw partial compliance with the Supreme Court's directions, where the trial court relied only on the materials led by the State (including jail conduct reports and criminal antecedents), but failed to elicit information on the prisoner's mental health and life circumstances. Cumulatively, trial courts demonstrated some compliance (partial or complete) in only 10 death penalty cases (15.2%).

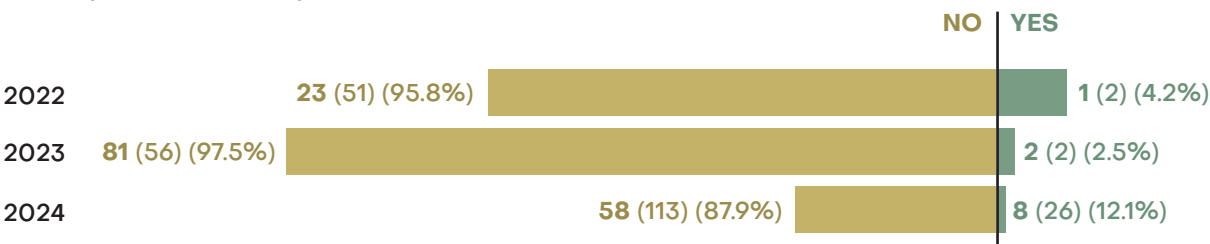
Cases Where The State Led Materials on Reform

Cases (Death sentences) (Percentage of cases)



Cases Where The Trial Court Sought Materials On Sentencing

Cases (Death sentences)



Materials led by the State on Probability of Reform

Criminal antecedents **1 case**

Jail conduct reports **8 cases**

¹² Information on sentencing material available in 66 out of the 83 death penalty cases this year.

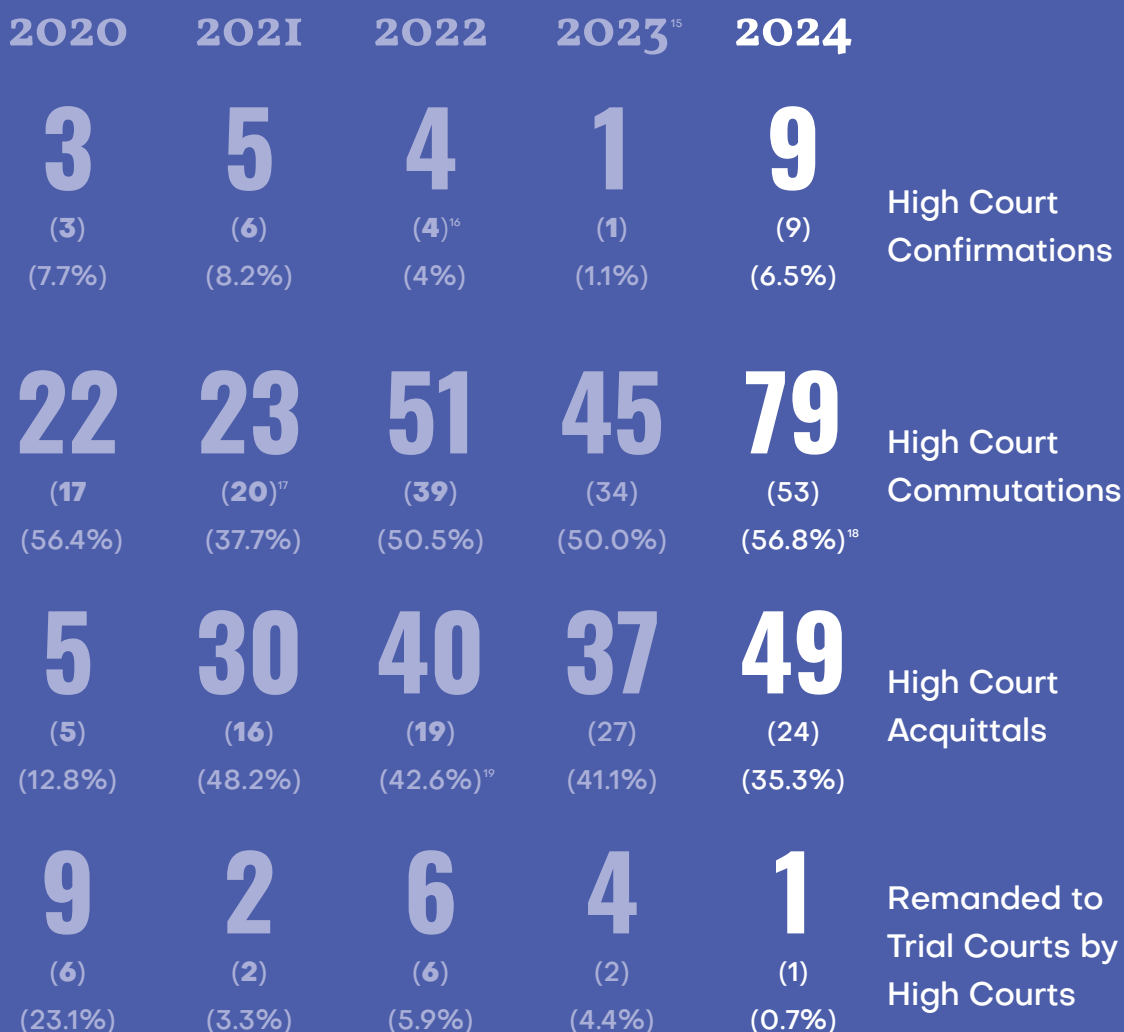
HIGH COURTS IN 2024

Prisoners (**Cases**) (Proportion of prisoners)¹³

	2016	2017	2018	2019
High Court Confirmations	16 (11) ¹⁴ (14.7%)	11 (10) (10.8%)	23 (18) (20.2%)	26 (15) (20%)
High Court Commutations	58 (38) (56.9%)	58 (39) (56.9%)	53 (35) (46.5%)	59 (38) (45.4%)
High Court Acquittals	18 (12) (17.6%)	35 (23) (34.3%)	27 (12) (23.7%)	31 (17) (23.8%)
Remanded to Trial Courts by High Courts	11 (1) (10.7%)	10 (5) (9.8%)	10 (6) (8.7%)	15 (7) (11.5%)

¹³ Proportions have been calculated against the total number of prisoners whose cases were decided in each calendar year.

¹⁴ Includes 1 case involving 1 prisoner, in which the High Court enhanced the sentence from life imprisonment to death penalty.



¹⁵ 2 cases involving 2 prisoners were abated due to the prisoners' deaths.

¹⁶ Includes 1 case involving 1 prisoner, in which the High Court enhanced the sentence from life imprisonment to death penalty.

¹⁷ In 1 case involving 1 prisoner, the High Court dismissed the writ petition challenging the rejection of the mercy petition by the President of India.

¹⁸ Includes 6 cases involving 7 prisoners, in which the High Court acquitted the prisoner from the charge carrying the death sentence.

¹⁹ In 1 case involving 3 prisoners, the High Court found 2 prisoners to have been juvenile at the time of offence.

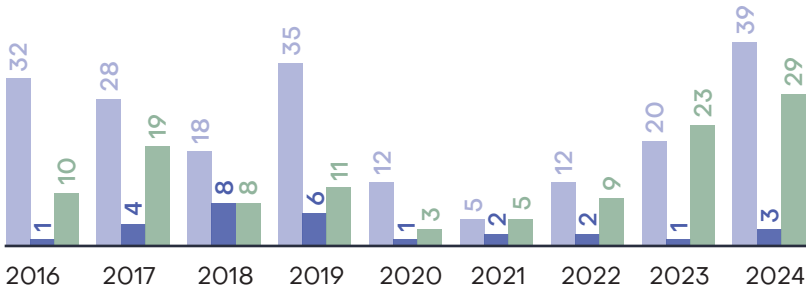
NATURE OF OFFENCE AT THE HIGH COURTS

Number of Prisoners

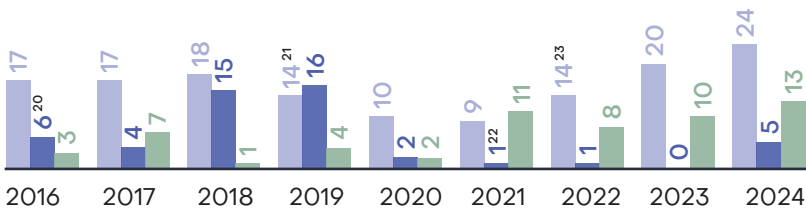


● COMMUTED ● CONFIRMED ● ACQUITTED

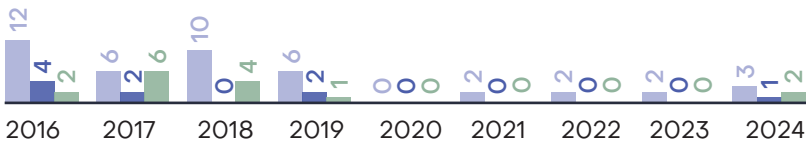
Murder Simpliciter



Murder Involving Sexual Offences



Kidnapping with Murder



²⁰ In 1 case, involving 1 prisoner, the High Court enhanced the sentence of life imprisonment to death sentence.

²¹ This data excludes 1 case involving 2 prisoners in which the High Court commuted the death sentence in a writ petition challenging the rejection of the mercy petition by the President of India.

²² This data excludes 1 case involving 1 prisoner in which the High Court dismissed the writ petition challenging the rejection of the mercy petition by the President of India.

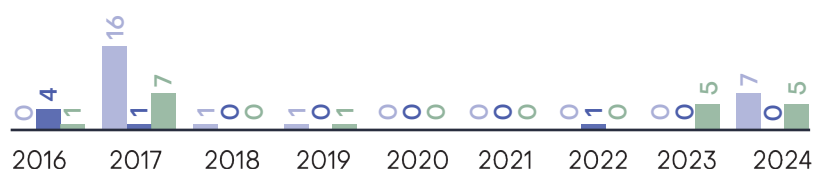
²³ In 1 case, involving 1 prisoner, the High Court acquitted the prisoner of the charge carrying the death penalty, which resulted in a reduced sentence for the prisoner.

Child Rape without Murder

NATURE OF OFFENCE AT THE HIGH COURTS



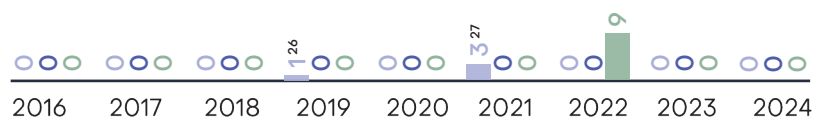
Dacoity with Murder



Terror Offences



Others²⁵



²⁴ Includes 1 case, involving 3 prisoners, in which the High Court acquitted the prisoners of the charge carrying the death penalty, which resulted in a reduced sentence for the prisoners.

²⁵ Includes offences for which no appeal of a death sentence was decided by the High Court this year, involving drug offences and multiple convictions of sexual offences under Section 376E of the Indian Penal Code.

²⁶ Includes 1 case, involving 1 prisoner, who was sentenced to death in a drug offence case.

²⁷ Includes 3 cases, involving 3 prisoners, who were sentenced to death under Section 376E IPC (for multiple convictions of sexual offences).

SENTENCES UPON COMMUTATION

A death sentence can be commuted to life imprisonment without the possibility of release at the High Court or the Supreme Court. People who are sentenced to life imprisonment can be released after they have served a minimum of fourteen years of imprisonment, in recognition of their conduct and ability to reintegrate in society. Such release is granted through the discretion of the State government or the Central government. In death penalty cases, a High Court or the Supreme Court can commute a death sentence and instead, impose a sentence of life imprisonment excluding release (either for a fixed term or for the remainder of their lives). This sentence renders the prisoner ineligible to be considered for release by the government.

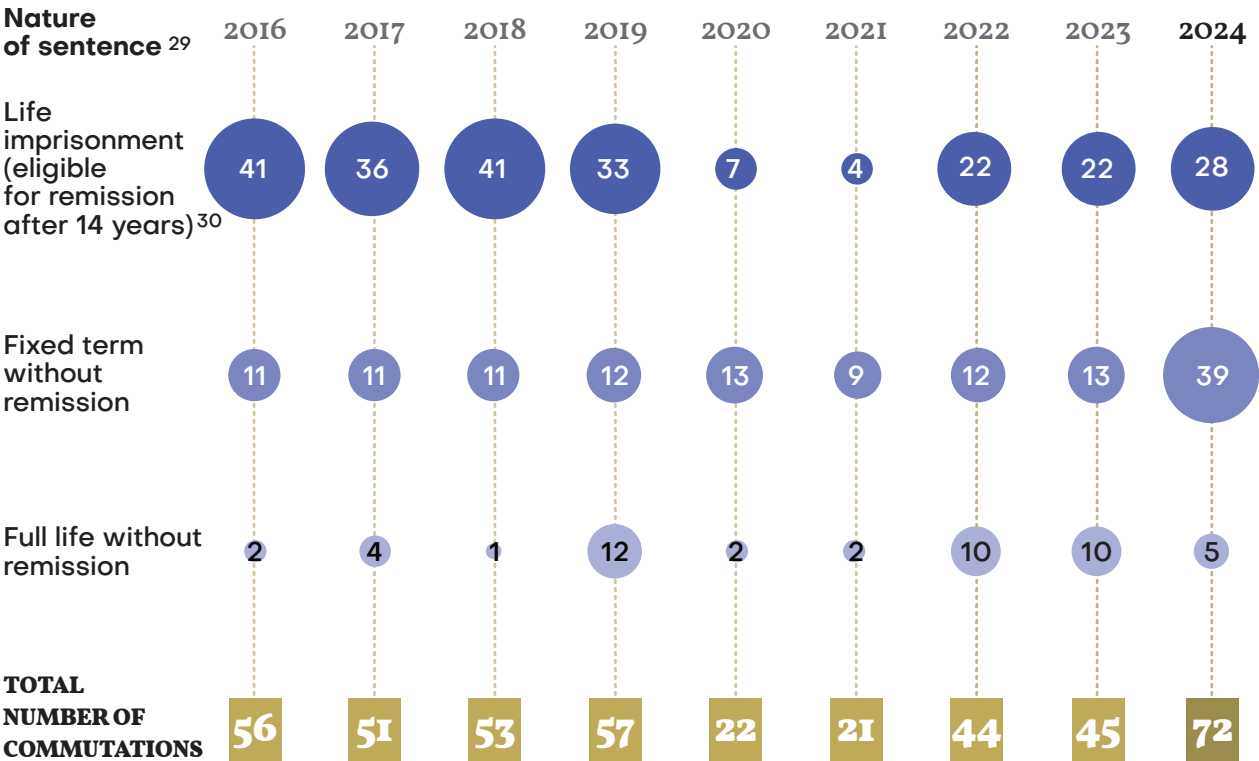
The appellate courts' power to impose such sentences in death penalty commutations comes from the Supreme Court's five-judge (Constitution) bench decision in *Union of India v. Sriharan* (2015). In *Sriharan*, the Supreme Court had held that appellate courts could impose life imprisonment sentences, without the possibility of release, while commuting a death sentence based on the gravity of a crime.²⁸ Since then, appellate courts have imposed life imprisonment without the possibility of release, either for a fixed number of years (which exceeds fourteen years), or for their whole lives.

In 2016, High Courts imposed LWOR sentences in 26.60% cases. These sentences began to comprise the majority of commuting sentences in 2020 (68.18%) and has since continued to comprise at least 50% of death penalty commutations. In 2024, LWOR sentences constituted 61.14% of commuting sentences, resulting in a 10% increase from the previous calendar years of 2022 and 2023.

²⁸ The Supreme Court in *Vikas Chaudhary v. State (NCT of Delhi)* clarified that the power to impose life imprisonment sentences without the possibility of release by the government, either for a fixed term or for the remainder of natural lives, could only be exercised by the High Courts and the Supreme Court. The Court also held that the power extended to an enhancement of life imprisonment sentences imposed by trial courts.

Sentences Imposed By High Courts On Commutation Of Death Sentence

Number of Prisoners



²⁹ Information on the sentence upon commutation is unavailable for 1 case involving 1 prisoner.

³⁰ Unless a judgment explicitly excludes remission or bars the state government from ordering early release, commutation to life imprisonment is classified as 'Life Imprisonment (eligible for remission after 14 years)'.

NATURE OF OFFENCE IN COMMUTING SENTENCES AT THE HIGH COURT

28

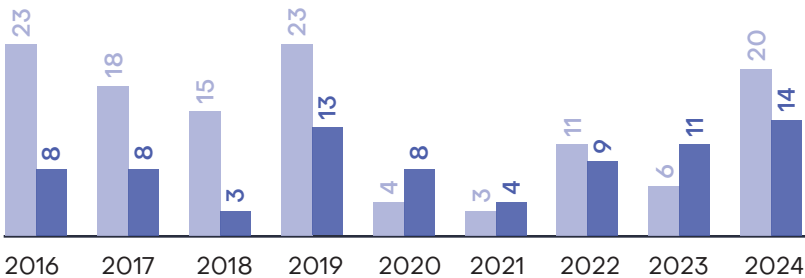
Life imprisonment
(eligible for release after
14 years)

44

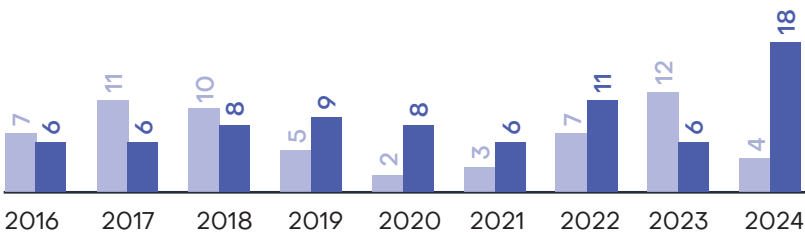
Life imprisonment
(ineligible for release for a
fixed term or for the remainder
of natural life)

- Life imprisonment (eligible for release after 14 years)
- Life imprisonment (ineligible for release for a fixed term or for the remainder of natural life)

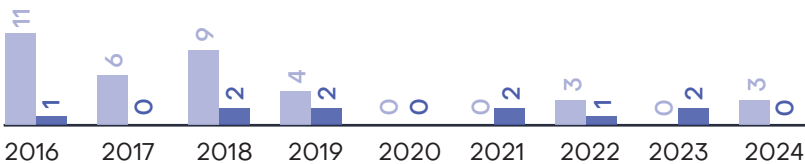
Murder Simpliciter



Murder Involving Sexual Offences

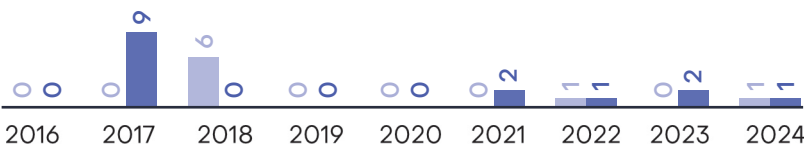


Kidnapping with Murder

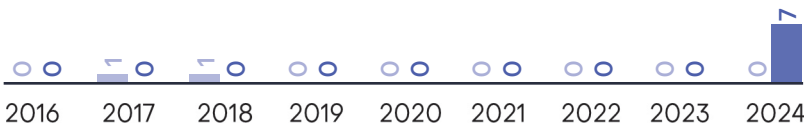


Child Rape without Murder

NATURE OF OFFENCE IN COMMUTING SENTENCES AT THE HIGH COURT



Dacoity with Murder



Terror Offences



Others³¹



³¹ Includes offences for which no appeal of a death sentence was decided by the High Court this year, involving drug offences, 376E (for multiple convictions of sexual offences).

DISPOSAL OF DEATH PENALTY CASES BY HIGH COURTS

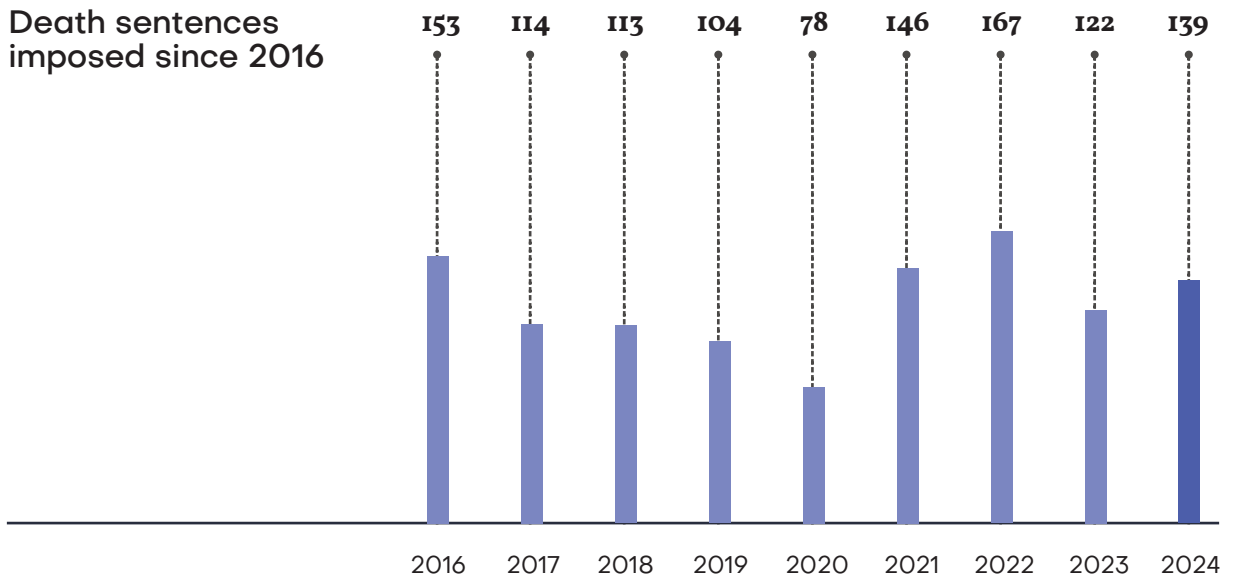
Section 366 of the CrPC³² mandates High Courts to hear and examine all death penalty cases from the trial courts, both on the question of conviction and sentence. In 2024, High Courts across the country disposed of death penalty appeals for 139 prisoners in 81 cases. While the average number of trial court death sentences between 2016 to 2024 is 126, the average disposal rate at the High Courts is 93.

The increasing numbers on death row in India can be attributed to the gap between the high imposition of death sentences at trial courts against the rate of disposal at High Courts, which is slower in comparison.

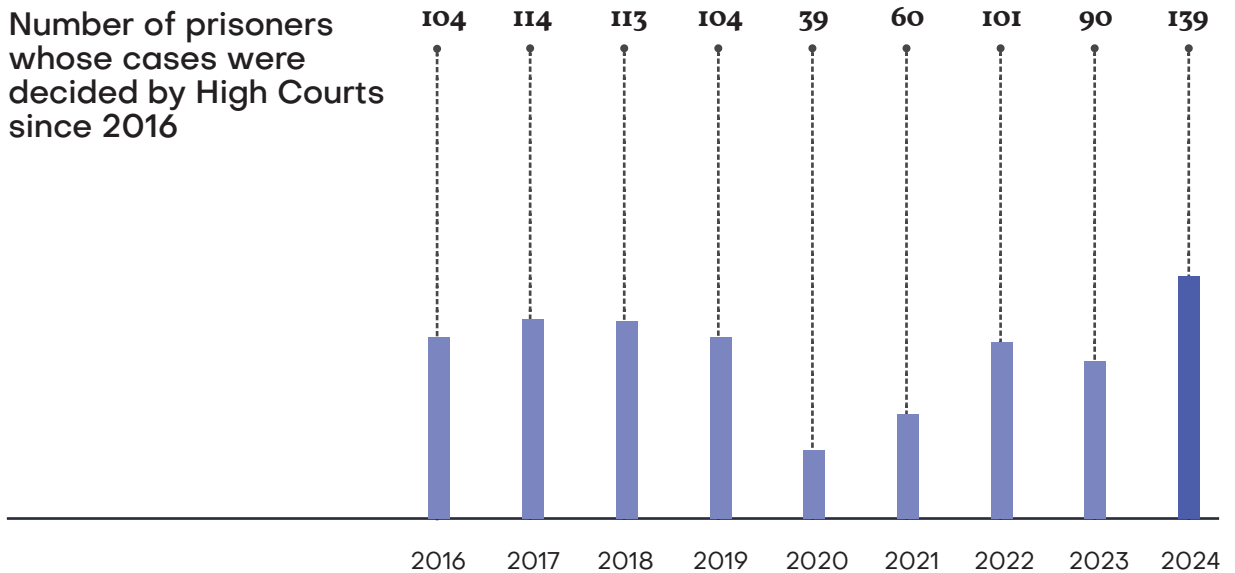
³² The provision has been replicated in the BNSS under Section 401.

DISPOSAL OF DEATH PENALTY CASES BY HIGH COURTS

Death sentences
imposed since 2016



Number of prisoners
whose cases were
decided by High Courts
since 2016



HIGH COURT ACQUITTALS IN 2024

49

No. of persons

24

No. of cases



Coram



Nature of Offence

ANDHRA PRADESH

No. of persons



No. of cases



10.05.2024

Prisoners – 5



**Justices U. Durga Prasad Rao and Gannameni
Ramakrishna Prasad**

State of Andhra Pradesh v. Mohammad Abdul Samad
Munna & Ors



Dacoity with Murder

BIHAR

No. of persons



No. of cases



22.03.2024

Prisoners – 4



Justices Ashutosh Kumar and A. Abhishek Reddy

State of Bihar v. Anmol Yadav



Murder involving Sexual Offences

GUJARAT

No. of persons



No. of cases



09.05.2024

Prisoners – 1



Justices A.Y. Kogje and Samir J. Dave

State of Gujarat v. Umang Lalibhai Thakkar & Anr.



Murder Simpliciter



Coram



Nature of Offence

JHARKHAND

No. of persons



No. of cases



12.02.2024

Prisoners - 1



Justices Sujit Narayan Prasad and Pradeep Kumar Srivastava

State of Jharkhand v. Supay Champia @ Chara



Murder Simpliciter

10.06.2024

Prisoners - 1



Justices Rongon Mukhopadhyay and Deepak Roshan

State of Jharkhand v. Md Rahet Seikh @ Kaluwa Seikh



Murder involving Sexual Offences

09.09.2024

Prisoners - 5



Justices Ananda Sen and Gautam Kumar Choudhary

State of Jharkhand v. Markas Dahanga



Murder Simpliciter

10.09.2024

Prisoners - 3



Justices Ananda Sen and Gautam Kumar Choudhary

State of Jharkhand v. Vishnu Yadav



Murder involving Sexual Offences

HIGH COURT ACQUITTALS IN 2024



Coram



Nature of Offence

KARNATAKA

No. of persons



No. of cases



19.09.2024

Prisoners – 1



Justices Ananda Sen and Gautam Kumar Choudhary

State of Jharkhand v. Anand Kumar Dangi @ Anand Dangi



Murder Simpliciter

25.06.2024

Prisoners – 3



Justices Sreenivas Harish Kumar and S. Rachaiah

Additional District & Sessions Judge Kodagu,
Madikekeri v. H.S. Shivakumar @ Shivu



Murder Simpliciter

KERALA

No. of persons



No. of cases



03.07.2024

Prisoners – 1



Justices Dr. A.K. Jayasankaran Nambiar and Syam Kumar V.M.

State v. Gireesh Kumar



Murder Simpliciter



Coram



Nature of Offence

06.08.2024

Prisoners – 2



Justices Dr. A.K. Jayasankaran Nambiar and Syam Kumar V.M.

State v. Anilkumar @ Jacky



Kidnapping with Murder

MADHYA PRADESH

No. of persons



No. of cases



16.10.2024

Prisoners – 1



Justices Vivek Agarwal and Devnarayan Mishra

Ram Prasad Ahirwar & Anr. v. State of Madhya Pradesh



Murder involving Sexual Offences

MAHARASHTRA

No. of persons



No. of cases



07.10.2024

Prisoners – 1



Justices R.G. Avachat and Neeraj P. Dhote

State of Maharashtra v. Girish s/o Gangaram Kotewad



Murder involving Sexual Offences

HIGH COURT ACQUITTALS IN 2024



Coram



Nature of Offence

ODISHA

No. of persons



No. of cases



PUNJAB

No. of persons



No. of cases



13.11.2024

Prisoners - 1



Justices Vinay Joshi and Abhay J. Mantri

State of Maharashtra v. Haribhau Rajaram Telgote



Murder Simpliciter

09.12.2024

Prisoners - 1



Justices Bharati Dangre and Manjusha Deshpande

State of Maharashtra v. Bhagwat Kale



Murder Simpliciter

20.06.2024

Prisoners - 1



Justices S.K. Sahoo and R.K. Pattanaik

State of Odisha v. Sk. Asif Alli @ Md. Asif Iqbal



Murder involving Sexual Offences

19.01.2024

Prisoners - 2



Justices G. S. Sandhawalia and Lapita Banerji

State of Punjab v. Baldev Singh



Murder Simpliciter



Coram



Nature of Offence

TAMIL NADU

No. of persons



No. of cases



14.06.2024

Prisoners – 7



Justices M.S. Ramesh and Sunder Mohan

State v. P Poonuswamy



Murder Simpliciter

UTTAR PRADESH

No. of persons



No. of cases



22.03.2024

Prisoners – 2



Justices Siddhartha Varma and Anish Kumar Gupta

Mohd. Shakeel v. State of Uttar Pradesh



Murder Simpliciter

17.05.2024

Prisoners – 1



Justices Arvind Singh Sangwan and Ram Manohar Narayan Mishra

Prem Singh Prajapati v. State of Uttar Pradesh



Murder involving Sexual Offences

HIGH COURT ACQUITTALS IN 2024



Coram



Nature of Offence

UTTARAKHAND

No. of persons



No. of cases



13.05.2024

Prisoners – 1



Justices Ravindra Maithani and Alok Kumar Verma

State of Uttarakhand v. Raju Das



Murder Simpliciter

11.06.2024

Prisoners – 1



Justices Ritu Bahri and Alok Kumar Verma

State of Uttarakhand v. Mohd. Azhar @ Antee



Murder involving Sexual Offences

26.07.2024

Prisoners – 1



Justices Ravindra Maithani and Alok Kumar Verma

State of Uttarakhand v. Kuldeep & Ors.



Murder Simpliciter

06.08.2024

Prisoners – 2



Justices Ritu Bahri and Alok Kumar Verma

State of Uttarakhand v. Satyesh @ Sonu



Murder Simpliciter

HIGH COURT COMMUTATIONS IN 2024³³

79

No. of persons

53

No. of cases



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

JHARKHAND

No. of persons



No. of cases



08.08.2024

Prisoners – 2



Justices Ananda Sen and Gautam Kumar Choudhary
State of Jharkhand v. Kishun Sao & Ors.³⁴



Murder Simpliciter

KARNATAKA

No. of persons



No. of cases



05.06.2024

Prisoners – 1



Justices Sreenivas Harish Kumar and S Rachaiah
High Court of Karnataka v. Pramodhkumar N. @
Pramoda³⁵



Murder Simpliciter

KERALA

No. of persons



No. of cases



02.08.2024

Prisoners – 1



Justices P.B. Suresh Kumar and M.B. Snehalatha
R. Baiju v. State of Kerala³⁶



Murder Simpliciter

³³ Includes 6 cases involving 7 prisoners who were acquitted of the charge carrying the death sentence.

³⁴ The prisoners had been acquitted of the charge carrying the death sentence.

³⁵ Pramodhkumar had been acquitted of the charge carrying the death sentence.

³⁶ Baiju had been acquitted of the charge carrying the death sentence.

HIGH COURT COMMUTATIONS IN 2024

 Coram

 Nature of Offence

 Sentence Imposed on Commutation of Death Sentence

13.09.2024

Prisoners – 1

 **Justices Dr. A.K. Jayasankaran Nambiar and Syam Kumar V.M.**

State of Kerala v. Rajith³⁷

 Murder involving Sexual Offences

MADHYA PRADESH

No. of persons



No. of cases



16.10.2024

Prisoners – 1

 **Justices Vivek Agarwal and Devnarayan Mishra**

Ram Prasad Ahirwar & Anr. v. State of Madhya Pradesh³⁸

 Murder involving Sexual Offences

UTTARAKHAND

No. of persons



No. of cases



09.07.2024

Prisoners – 1

 **Justices Ritu Bahri and Alok Kumar Verma**

In the matter of Capital Punishment awarded to Harmeet Singh v. State of Uttarakhand³⁹

 Murder Simpliciter

³⁷ Rajith had been acquitted of the charge carrying the death sentence.

³⁸ Ram Prasad Ahirwar had been acquitted of the charge carrying the death sentence.

³⁹ Harmeet Singh had been acquitted of the charge carrying the death sentence.



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

ANDHRA PRADESH

No. of persons



No. of cases



10.05.2024

Prisoners – 7



Justices U. Durga Prasad Rao and Gannameni Ramakrishna Prasad

State of Andhra Pradesh v. Mohammad Abdul Samad Munna & Ors



Dacoity with Murder



Fixed term imprisonment of 45 years without remission

27.09.2024

Prisoners – 1



Justices K. Sreenivasa Reddy and T. Mallikarjuna Rao

Shaik Inthiyaz v. State of Andhra Pradesh



Dacoity with Murder



Fixed term imprisonment of 20 years without remission

23.10.2024

Prisoners – 1



Justices K. Suresh Reddy and K. Sreenivasa Reddy

State of Andhra Pradesh v. Dudekula Siddaiah



Dacoity with Murder



Fixed term imprisonment of 20 years without remission

HIGH COURT COMMUTATIONS IN 2024

 Coram

 Nature of Offence

 Sentence Imposed on Commutation of Death Sentence

ASSAM

No. of persons



No. of cases



19.04.2024

Prisoners – 1

 **Justices Kalyan Rai Surana and Mridul Kumar Kalita**
State of Assam v. Jashim Uddin Barbhuiya

 Murder involving Sexual Offences

 Life Imprisonment (eligible for remission after 14 years)

BIHAR

No. of persons



No. of cases




11.09.2024

Prisoners – 4

 **Justices Ashutosh Kumar and Jitendra Kumar**
State of Bihar v. Imteyaz Alam @ Ansari

 Terror Offences

 Fixed term imprisonment of 30 years without remission

CHHATTISGARH

No. of persons



No. of cases



26.11.2024

Prisoners – 1

 **Justices Ramesh Sinha and Amitendra Kishore Prasad**
Dipak Baghel v. State of Chattisgarh

 Murder involving Sexual Offences

 Life Imprisonment (eligible for remission after 14 years)



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

GUJARAT

No. of persons



No. of cases



HARYANA

No. of persons



No. of cases



09.12.2024

Prisoners – 1



Justices Ramesh Sinha and Amitendra Kishore Prasad

In Reference Of State Of Chhattisgarh v. Umend Kenvat



Murder Simpliciter



Life Imprisonment (eligible for remission after 14 years)

09.05.2024

Prisoners – 1



Justices A.Y. Kogje and Samir J. Dave

State of Gujarat v. Umang Lalibhai Thakkar & Anr.



Murder Simpliciter



Life Imprisonment (eligible for remission after 14 years)

19.01.2024

Prisoners – 1



Justices G. S. Sandhawalia and Lapita Banerji

State of Haryana v. Jaspal Singh @ Kala



Child Rape without Murder



Imprisonment for the rest of natural life without remission

HIGH COURT COMMUTATIONS IN 2024

 Coram

 Nature of Offence

 Sentence Imposed on Commutation of Death Sentence

JAMMU & KASHMIR

No. of persons




No. of cases



15.10.2024

Prisoners – 4

 **Justices Sanjeev Kumar and M.A. Chowdhary**
Mohammad Sadiq Mir @ Sada & Ors v. State of Jammu and Kashmir

 Murder involving Sexual Offences

 Fixed term imprisonment of 25 years without remission

JHARKHAND

No. of persons



No. of cases



10.06.2024

Prisoners – 1

 **Justices Rongon Mukhopadhyay and Deepak Roshan**
State of Jharkhand v. Saluka Hembrom

 Murder Simpliciter

 Life Imprisonment (eligible for remission after 14 years)

08.08.2024

Prisoners – 2

 **Justices Ananda Sen and Gautam Kumar Choudhary**
State of Jharkhand v. Kishun Sao & Ors.

 Murder Simpliciter

 Life Imprisonment (eligible for remission after 14 years)



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

08.08.2024

Prisoners - 3



Justices Ananda Sen and Gautam Kumar Choudhary

State of Jharkhand v. Vivek Kumar



Kidnapping with Murder



Life Imprisonment (eligible for remission after 14 years)

28.08.2024

Prisoners - 1



Justices Ananda Sen and Gautam Kumar Choudhary

State of Jharkhand v. Santosh Kumar Mahato



Murder Simpliciter



Life Imprisonment (eligible for remission after 14 years)

19.09.2024

Prisoners - 1



Justices Ananda Sen and Gautam Kumar Choudhary

State of Jharkhand v. Pawan Kumar Singh



Murder Simpliciter



Fixed term imprisonment of 25 years without remission

HIGH COURT COMMUTATIONS IN 2024

 Coram

 Nature of Offence

 Sentence Imposed on Commutation of Death Sentence

KARNATAKA

No. of persons




No. of cases



24.01.2024

Prisoners – 1


 **Justices K.S. Mudagal and Venkatesh Naik T.**
Principal District and Sessions Judge, Udupi v.
Prashantha Mogaveera


 Murder involving Sexual Offences

 Fixed term imprisonment of 38 years without remission

13.03.2024

Prisoners – 1


 **Justices Sreenivas Harish Kumar and S Rachaiah**
Additional District and Sessions Judge, Chitradurga v.
Thimmappa

 Murder Simpliciter

 Life Imprisonment (eligible for remission after 14 years)

21.10.2024

Prisoners – 1

 **Justices Sreenivas Harish Kumar and J.M. Khazi**
Additional District and Sessions Judge, Kolar v.
Narendra K

 Murder Simpliciter

 Life Imprisonment (eligible for remission after 14 years)

 Coram Nature of Offence Sentence Imposed on Commutation of Death Sentence**KERALA**

No. of persons



No. of cases

**25.04.2024****Prisoners – 1** **Justices Dr. A.K. Jayasankaran Nambiar and Syam Kumar V.M.**

State of Kerala v. Narendra Kumar

 Murder Simpliciter Fixed term imprisonment of 20 years without remission**24.05.2024****Prisoners – 1** **Justices P.B. Suresh Kumar and Johnson John**

State of Kerala v. Nino Mathew

 Murder Simpliciter Fixed term imprisonment of 25 years without remission**23.07.2024****Prisoners – 1** **Justices Dr. A.K. Jayasankaran Nambiar and Syam Kumar V.M.**

State of Kerala v. Thomas Chacko @ Shibu

 Murder Simpliciter Fixed term imprisonment of 30 years without remission

HIGH COURT COMMUTATIONS IN 2024



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

MADHYA PRADESH

No. of persons



No. of cases



14.11.2024

Prisoners – 1



Justices Vivek Agarwal and Devnarayan Mishra

In Reference v. Vishnu Bhamore



Murder involving Sexual Offences



Life Imprisonment (eligible for remission after 14 years)

MAHARASHTRA

No. of persons



No. of cases



10.10.2024

Prisoners – 1



Justices Revati Mohit Dere and Shyam C. Chandak

State of Maharashtra v. Pradip Vishwanath Jagtap



Murder Simpliciter



Fixed term imprisonment of 25 years without remission

10.10.2024

Prisoners – 1



Justices Revati Mohit Dere and Shyam C. Chandak

State of Maharashtra v. Deepak Birbahadur Jath



Murder Simpliciter



Life Imprisonment (eligible for remission after 14 years)



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

13.11.2024

Prisoners - 1



Justices Vinay Joshi and Abhay J. Mantri

State of Maharashtra v. Haribhau Rajaram Telgote



Murder Simpliciter



Life Imprisonment (eligible for remission after 14 years)

13.11.2024

Prisoners - 1



Justices Vinay Joshi and Abhay J. Mantri

State of Maharashtra v. Haribhau Rajaram Telgote



Murder Simpliciter



Fixed term imprisonment of 30 years without remission

ODISHA

No. of persons



No. of cases



06.05.2024

Prisoners - 1



Justices S.K. Sahoo and R.K. Pattanaik

State of Odisha v. Mohammed Mustak



Murder involving Sexual Offences



Fixed term imprisonment of 30 years without remission

HIGH COURT COMMUTATIONS IN 2024


 Coram

 Nature of Offence


 Sentence Imposed on Commutation of Death Sentence

20.06.2024

Prisoners – 1


 **Justices S.K. Sahoo and R.K. Pattanaik**
State of Odisha v. Sk. Asif Alli @ Md. Asif Iqbal

 Murder involving Sexual Offences


 Imprisonment for the rest of natural life without remission

28.08.2024

Prisoners – 1

 **Justices S.K. Sahoo and Chittaranjan Dash**
State of Odisha v. Nabin Dehury

 Murder Simpliciter

 Imprisonment for the rest of natural life without remission

RAJASTHAN

No. of persons




No. of cases



21.03.2024

Prisoners – 1

 **Justices Pushpendra Singh Bhati and Rajendra Prakash Soni**
State of Rajasthan v. Nokharam @ Bharmaram

 Murder involving Sexual Offences

 Fixed term imprisonment of 30 years without remission



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

TRIPURA

No. of persons



No. of cases

**29.01.2024****Prisoners – 1****Justices Amarnath Goud and Biswajit Palit**The Special Judge (POCSO), Khowai District, Tripura v.
The State of Tripura

Murder involving Sexual Offences

Imprisonment for the rest of natural life without
remission**29.01.2024****Prisoners – 1****Justices Amarnath Goud and Biswajit Palit**The Sessions Judge, Khowai District, Tripura v. the
State of Tripura

Murder involving Sexual Offences

Imprisonment for the rest of natural life without
remission

HIGH COURT COMMUTATIONS IN 2024

 Coram

 Nature of Offence

 Sentence Imposed on Commutation of Death Sentence

UTTAR PRADESH

No. of persons



No. of cases



21.02.2024

Prisoners – 1

 Justices Ashwani Kumar Mishra and Syed Aftab
Husain Rizvi

Dinesh Paswan v. State of Uttar Pradesh

 Murder involving Sexual Offences

 Fixed term imprisonment of 30 years without remission

03.05.2024

Prisoners – 2

 Justices Arvind Singh Sangwan and Ram Manohar
Narayan Mishra

Rajendar & Another v. State of Uttar Pradesh

 Murder Simpliciter

 Fixed term imprisonment of 20 years without remission

04.07.2024

Prisoners – 1

 Justices Arvind Singh Sangwan and Ram Manohar
Narayan Mishra

Tarun Goel v. State of Uttar Pradesh

 Murder Simpliciter

 Life Imprisonment (eligible for remission after 14 years)



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

23.07.2024**Prisoners – 1****Justices Arvind Singh Sangwan and Mohd. Azhar Husain Idrisi**

Prem Naresh v. State of Uttar Pradesh



Murder involving Sexual Offences



Fixed term imprisonment of 25 years without remission

05.09.2024**Prisoners – 5****Justices Arvind Singh Sangwan and Mohd. Azhar Husain Idrisi**

Asif Thakur & Ors v. State of Uttar Pradesh



Murder Simpliciter



Life Imprisonment (eligible for remission after 14 years)

27.09.2024**Prisoners – 2****Justices Attau Rahman Masoodi and Ajai Kumar Srivastava-I**

State of Uttar Pradesh v. Vijay Prakash Sharma & Another



Murder Simpliciter



Life Imprisonment (eligible for remission after 14 years)

HIGH COURT COMMUTATIONS IN 2024

 Coram

 Nature of Offence

 Sentence Imposed on Commutation of Death Sentence

UTTARAKHAND

No. of persons



No. of cases



04.10.2024

Prisoners – 3

 **Justices Arvind Singh Sangwan and Mohd. Azhar Husain Idrisi**

Zulfikar Abbasi v. State of Uttar Pradesh

 Murder involving Sexual Offences

 Fixed term imprisonment of 25 years without remission

02.05.2024

Prisoners – 1

 **Justices Ritu Bahri and Alok Kumar Verma**

State of Uttarakhand v. Yusuf @ Sonu

 Murder involving Sexual Offences

 Fixed term imprisonment of 20 years without remission


16.05.2024

Prisoners – 1

 **Justices Ritu Bahri and Alok Kumar Verma**

State of Uttarakhand v. Sartaj

 Murder Simpliciter

 Fixed term imprisonment of 20 years without remission



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

21.05.2024

Prisoners – 1



Justices Ritu Bahri and Alok Kumar Verma

In the matter of capital punishment awarded to
Harswroop v. State of Uttarakhand



Murder involving Sexual Offences



Fixed term imprisonment of 20 years without remission

21.05.2024

Prisoners – 1



Justices Ritu Bahri and Alok Kumar Verma

State of Uttarakhand v. Janak Bahadur



Child Rape without Murder



Life Imprisonment (eligible for remission after 14 years)

21.05.2024

Prisoners – 1



Justices Ritu Bahri and Alok Kumar Verma

State of Uttarakhand v. Rajesh @ Jitender



Murder involving Sexual Offences



Life Imprisonment (eligible for remission after 14 years)

HIGH COURT COMMUTATIONS IN 2024

 Coram

 Nature of Offence

 Sentence Imposed on Commutation of Death Sentence

10.07.2024

Prisoners – 1

 **Justices Ritu Bahri and Alok Kumar Verma**
Ramtirath Yadav v. State of Uttarakhand

 Murder involving Sexual Offences

 Fixed term imprisonment of 20 years without remission

26.07.2024

Prisoners – 2

 **Justices Ravindra Maithani and Alok Kumar Verma**
State of Uttarakhand v. Kuldeep & Ors.

 Murder Simpliciter

 Life Imprisonment (eligible for remission after 14 years)

WEST BENGAL

No. of persons



No. of cases



22.05.2024

Prisoners – 1

 **Justices Soumen Sen and Partha Sarathi Sen**
Padam Subba v. State of West Bengal

 Murder Simpliciter

 Fixed term imprisonment of 21 years without remission



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

16.08.2024

Prisoners – 1



Justices Rajarshi Bharadwaj and Md. Shabbar Rashidi

State of West Bengal v. Hangjit Rai



Murder Simpliciter



Fixed term imprisonment of 21 years without remission

HIGH COURT CONFIRMATIONS IN 2024

09

No. of persons

09

No. of cases



Coram



Nature of Offence

HARYANA

No. of persons



No. of cases



05.12.2024

Prisoners - 1



Justices Sureshwar Thakur and Sudeepti Sharma

State of Haryana v. Sunil



Murder involving Sexual Offences

JHARKHAND

No. of persons



No. of cases



05.09.2024

Prisoners - 1



Justices Ananda Sen and Gautam Kumar Choudhary

State of Jharkhand v. Ram Chandra Thakur



Murder involving Sexual Offences

09.09.2024

Prisoners - 1



Justices Ananda Sen and Gautam Kumar Choudhary

State of Jharkhand v. Rahul Kumar @ Rahul Raj



Murder involving Sexual Offences



Coram



Nature of Offence

MAHARASHTRA

No. of persons



No. of cases



27.03.2024

Prisoners - 1



Justices Vinay Joshi and M.W. Chandwani

State of Maharashtra v. Vivek Gulab Palatkar



Murder Simpliciter

04.10.2024

Prisoners - 1



Justice Revati Mohite Dere and Prithviraj K. Chavan

State of Maharashtra v. Sunil Ravi Kuchkoravi



Murder Simpliciter

PUNJAB

No. of persons



No. of cases



04.03.2024

Prisoners - 1



Justices G. S. Sandhawalia and Lapita Banerji

State of Punjab v. Baljinder Kumar @ Kala



Murder Simpliciter

05.08.2024

Prisoners - 1



Justices Sureshwar Thakur and Sudeepti Sharma

State of Punjab v. Sukhjinder Singh @ Sukha



Kidnapping with Murder

HIGH COURT CONFIRMATIONS IN 2024

 Coram

 Nature of Offence

TELANGANA

No. of persons



No. of cases



31.07.2024

Prisoners – 1

 Justices P. Sam Koshy and Sambasiva Rao Naidu

Dinesh Kumar Dharne v. State of Telangana

 Murder involving Sexual Offences

HIGH COURT REMITTED CASES IN 2024

01

No. of persons

01

No. of cases



Coram



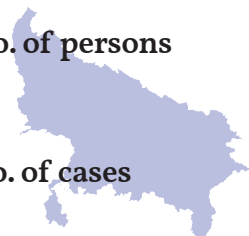
Nature of Offence

UTTAR PRADESH

No. of persons



No. of cases



08.02.2024

Prisoners – 1



Justices Ashwani Kumar Mishra and Nand Prabha Shukla

Ajay Kumar v. State of Uttar Pradesh



Murder involving Sexual Offences

SUPREME COURT IN 2024

Prisoners (**Cases**) (Proportion of prisoners)

Criminal Appeal And Related Proceedings In 2024⁴⁰

	2016	2017	2018	2019
Commutations	10 (8) (83.3%)	0 (0) (0%)	11 (11) (78.6%)	16 (16) (45.7%)
Confirmations	1 (1) (8.3%)	8 (4) (100%)	3 (1) (21.4%)	6 (6) (17.1%)
Acquittals	1 (1) (8.3%)	0 (0) (0%)	0 (0) (0%)	11 (3) (31.4%)
Remanded	0 (0) (0%)	0 (0) (0%)	0 (0) (0%)	2 (2) (5.7%)

⁴⁰ Including Criminal Appeals, Review Petitions or Curative Petitions connected to the original Criminal Appeal.

2020	2021	2022	2023	2024	
4 (3) (28.6%)	5 (4) (55.5%)	7 (5) (53.3%)	3 (3) (27.3%)	5 (5)	Commutations
6 (4) (42.9%)	0 (0) (0%)	2 (2) (13.3%)	0 (0) (0%)	0 (0)	Confirmations
0 (0) (0%)	4 (2) (44.4%)	5 (3) (33.3%)	6 (5) (54.5%) ⁴¹	1 (1)	Acquittals
0 (0) (0%)	0 (0) (0%)	0 (0) (0%)	2 (2) (18.2%)	0 (0)	Remanded

⁴¹ Includes 2 cases, involving 2 prisoners, who were found to be juvenile at the time of commission of the offence.

NATURE OF OFFENCE AT THE SUPREME COURT IN 2024

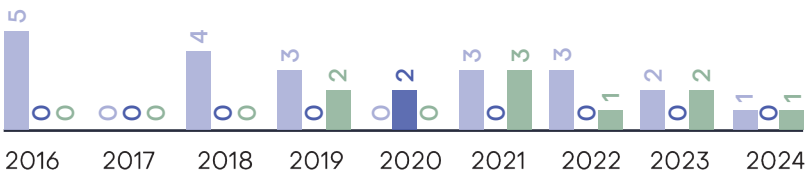


Criminal Appeal & Related Proceedings

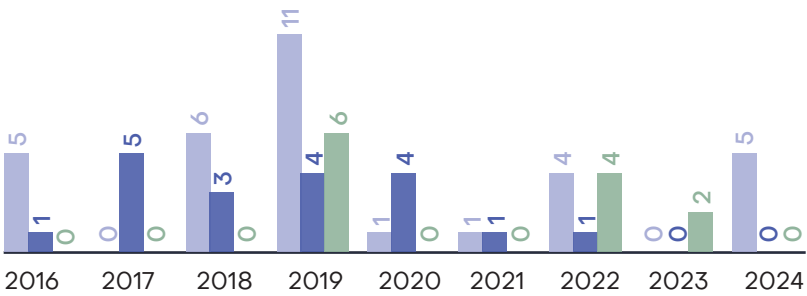
Number of Prisoners

● COMMUTED ● CONFIRMED ● ACQUITTED

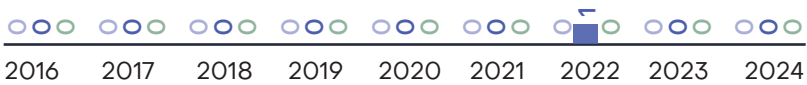
Murder Simpliciter



Murder Involving Sexual Offences

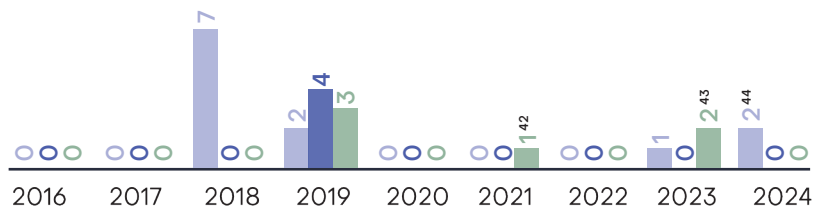


Terror Offences



Others

NATURE OF OFFENCE AT THE SUPREME COURT IN 2024



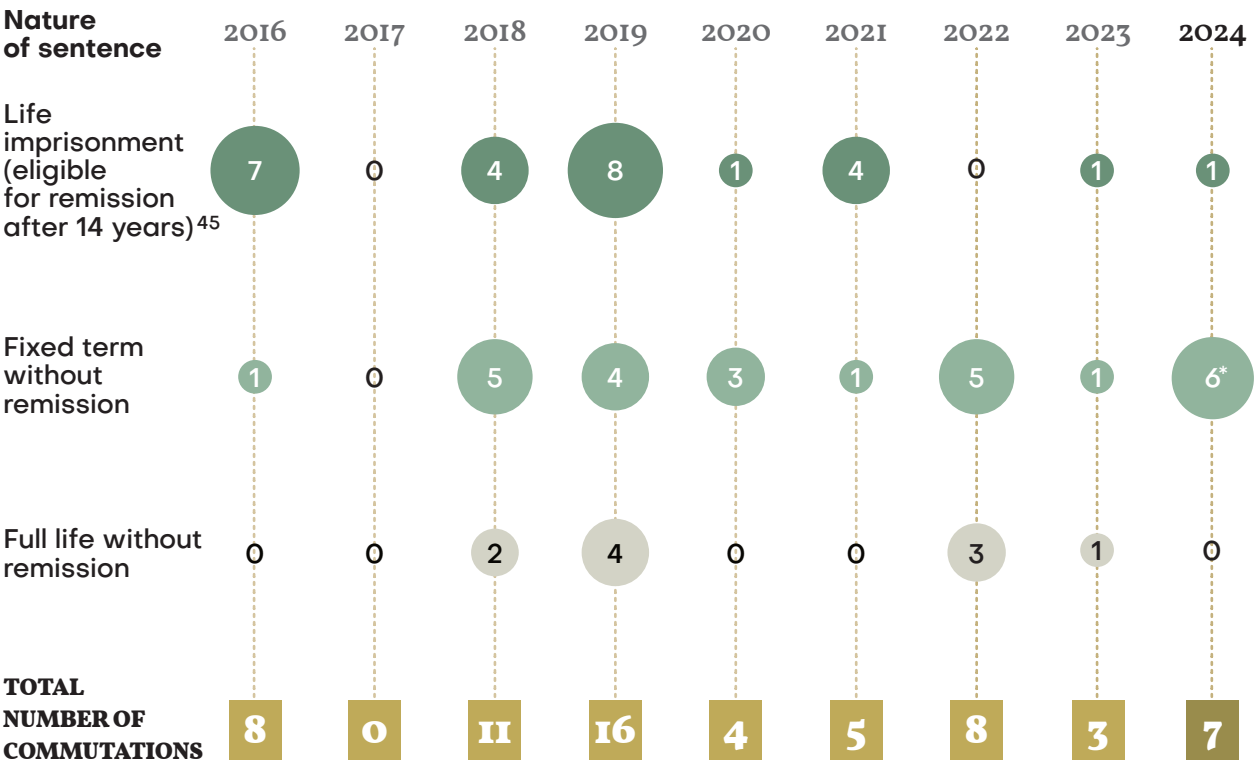
⁴² Includes 1 case, involving 1 prisoner, who had been sentenced to death for dacoity with murder.

⁴³ Includes 1 case, involving 2 prisoners, who had been sentenced to death for kidnapping with murder.

⁴⁴ Includes 2 cases, involving 2 prisoners, who had been sentenced to death for kidnapping with murder and for dacoity with murder.

SUPREME COURT SENTENCES IMPOSED UPON COMMUTATION OF DEATH SENTENCE IN 2024

Number of Prisoners



*Includes 1 case, involving 2 prisoners, which were decided by the Supreme Court through a review petition.

⁴⁵ Unless a judgment explicitly excludes remission or bars the state government from ordering early release, commutation to life imprisonment is classified as 'Life Imprisonment (eligible for remission after 14 years)'.

ANALYSIS OF SUPREME COURT DECISIONS IN 2024

The Supreme Court heard and decided 5 death penalty criminal appeals, involving 5 prisoners, in 2024, commuting the death sentences of 4, and acquitting 1 prisoner of all charges. The Court also heard 1 review petition involving 2 prisoners, and commuted their death sentences. The Supreme Court did not confirm any death sentence in 2024, carrying forward this trend from 2023.

In the reasons provided in commutations, the Court elicited and relied on reports from mitigation investigators on the life history of the accused, jail conduct and psychiatric evaluations. This signifies a continuation of the Supreme Court's efforts to gather information about the accused at sentencing in death penalty cases since 2021. However, the Supreme Court imposed LWOR sentences for 3 out of 4 prisoners without giving any reasons for choosing this sentence over life imprisonment with remission.

COMMUTATIONS IN 2024

22.08.2024

Murder involving sexual offences



Criminal Appeal Nos. 1672
– 1628 of 2018



Justices B R Gavai,
Prashant Kumar Mishra
and K V Vishwanathan

Jitendra Kushwah v. State of Madhya Pradesh

Case History

Jitendra Kushwah had been convicted and sentenced to death on 27.07.2018 by a Special Judge (POCSO) in Gwalior district, Madhya Pradesh for the rape and murder of a 6-year-old girl. The High Court of Madhya Pradesh confirmed his death sentence in the same year. The conviction and death sentence confirmation was then challenged by way of a criminal appeal before the Supreme Court.

Criminal Appeal

On appeal, the Court upheld Kushwah's conviction stating that the prosecution evidence had been established beyond reasonable doubt. On sentence, the Court listed Kushwah's young age and lack of criminal antecedents to commute the death sentence to an LWOR sentence excluding remission for 20 years. The decision does not mention reasons for imposing an LWOR sentence.

12.09.2024

Murder involving sexual offences



Criminal Appeal Nos. 449–450 of 2019



Justices B R Gavai,
Prashant Kumar Mishra
and K V Vishwanathan

Rabbu @ Sarvesh v. State of Madhya Pradesh

Case History

Rabbu was convicted and sentenced to death on 20.08.2018 by the Sessions Court, Sagar, Madhya Pradesh for the gang rape and murder of a woman. The conviction and death sentence was upheld by the Madhya Pradesh High Court on 17.01.2019. The conviction and death sentence confirmation was then challenged in the criminal appeal before the Supreme Court.

Criminal Appeal

The Supreme Court upheld his conviction but commuted the death sentence to life imprisonment excluding the possibility of release for 20 years. The Court relied on a mental health evaluation report, jail conduct report and information pertaining to Rabbu's familial history in its sentencing decision. It found that Rabbu had no criminal antecedents and had faced multiple traumatic life circumstances in his childhood. The Court also relied on the jail conduct report and held that he showed probability of reformation. On these grounds, the Court commuted the death sentence. However, the Court did not provide reasons for commuting the death sentence to an LWOR sentence.

26.09.2024

Shivkumar Ramsunder Saket v. State of Maharashtra

Dacoity with murder



Criminal Appeal Nos. 806–807 of 2023



Justices B R Gavai,
Prashant Kumar Mishra
and K V Vishwanathan

Case History

Saket had been convicted and sentenced to life imprisonment by the Sessions Court, Ahmednagar district, Maharashtra for a case involving dacoity with murder. On appeal, the Maharashtra High Court had enhanced the life imprisonment sentence to a death sentence on 08.04.2022, citing the gravity of the crime and helplessness of the victims. The conviction and enhanced sentence were challenged in the criminal appeal to the Supreme Court.

Criminal Appeal

The Supreme Court upheld the Sessions court's findings on conviction and sentence, and overturned the death sentence imposed by the High Court. The Court found that Saket's role in the offence could not be differentiated from the other co-accused in the case who had not been sentenced to death. The Court did not rely on any other information in its sentencing reasons.

16.10.2024

Eknath Kisan Kumbharkar v. State of Maharashtra

Murder simpliciter



Special Leave Petition No.
251 of 2020



Justices B R Gavai,
Aravind Kumar and K V
Vishwanathan

Case History

Eknath was convicted for the murder of his daughter, and sentenced to death on 19.06.2017 by a Sessions Court in Nashik, Maharashtra. The Bombay High Court upheld the conviction and confirmed his death sentence on 06.08.2019. The conviction and sentence had been challenged by way of a criminal appeal to the Supreme Court.

Criminal Appeal

The Supreme Court upheld Eknath's conviction but commuted his death sentence to life imprisonment without the possibility of release through remission for a fixed term of 20 years. The Court elicited reports on mitigation investigation, jail conduct, psychiatric evaluation and gathered information from probation officers. Eknath's lack of criminal antecedents and his satisfactory jail conduct were cited to demonstrate the possibility of reformation. Further, the Court cited mitigating circumstances including Eknath's efforts to relieve his family's poverty to commute the death sentence. While the Court did not give detailed reasons for choosing a fixed term sentence upon commutation, it found that the gravity of the crime necessitated it.

17.12.2024

Murder involving sexual offences



Special Leave Petition
(Crl.) No. 9015-9016 of
2019



Justices B R Gavai,
Aravind Kumar and K V
Vishwanathan

Sambhubhai Raisangbhai Padhiyar v. State of Gujarat

Case History

Sambhubhai was convicted and sentenced to death in 2016 by the Sessions Court, Bharuch district (Gujarat) for the kidnapping, rape and murder of a four-year old boy. On 03.04.2019, the Gujarat High Court upheld the conviction and confirmed his death sentence. Sambhubhai challenged the High Court's decision in the criminal appeal before the Supreme Court.

Criminal Appeal

The Supreme Court upheld the conviction, finding that the prosecution had successfully established the chain of circumstances through last seen evidence, medical examinations of the accused and DNA.

The Court commuted Sambhubhai's death sentence to life imprisonment excluding the possibility of release for a period of 25 years. During commutation, the Court compared aggravating circumstances of the crime against Sambhubhai's life circumstances and relied on reports of mitigation investigation, psychiatric evaluation and jail conduct. Using this information, the Court found that the possibility of reformation was not entirely excluded.

The Court justified imposing a life sentence excluding the possibility of release for a period of 25 years by citing the gravity of the offence, and to maintain the confidence of the public in the justice system.

22.08.2024

Murder involving sexual offences



Review Petition (Crl.) No 21811/2022



Justices B R Gavai,
P K Mishra and
K V Vishwanathan

Sanni @ Devendra v. The State of Madhya Pradesh and Ors.

Case History

Babbu and Sunny were convicted and sentenced to death by the Additional Sessions Court, Indore, for the rape and murder of a 4 year old girl on 26.04.2013. The Madhya Pradesh High Court had upheld their conviction and confirmed their death sentences in 2014, and the Supreme Court had upheld their conviction and death sentence in the criminal appeal in 2015. Babu and Sunny challenged the conviction and death sentence in the review petition before the Supreme Court.

Review Petition

The Court found that the third co-accused in this case, Jitendra, had received a death sentence commutation to life imprisonment without the possibility of release through remission for 20 years through a decision of the Supreme Court in 2018. Finding that the appellants in the present case were entitled to parity with their co-accused, the Court commuted the death sentence to life imprisonment without the possibility of release through remission for 20 years.

ACQUITTALS IN 2024

17.10.2024

Murder simpliciter



Criminal Appeal No. 213 of 2020



Justices B R Gavai,
P K Mishra and K V
Vishwanathan

Vishwajeet Kerba Masalkar v. State of Maharashtra

Case History

Vishwajeet Masalkar was convicted and sentenced to death on 31.08.2016 by the Sessions Court, Pune for the robbery and murder of two women and a child. The Bombay High Court upheld his conviction and confirmed the death sentence. Masalkar filed a criminal appeal challenging his conviction and sentence.

Criminal Appeal

The Supreme Court acquitted Masalkar of all charges, setting aside his conviction and sentence. The Court cast serious doubts in the police recovery of incriminating articles (including a hammer and stolen jewellery) given that it was found in an open and accessible area, without sufficient corroboration from panch witnesses. The Court also found that the prosecution had not established a motive.



DEVELOPMENTS IN THE LAW

2024 was a significant year for the death penalty in statutory law. The BNS, the BNSS, and the BSA came into force on July 1, 2024 and replaced the IPC, the CrPC, and the IEA respectively. The new criminal laws introduce four new offences which have been made punishable with death, and introduces a procedural framework for filing and processing mercy petitions for death row prisoners.

The West Bengal State Assembly passed the Aparijita Woman and Child (West Bengal Criminal Laws Amendment Bill), 2024 which prescribes the death penalty for the rape of adult women, and introduces a mandatory death sentence for rape resulting in death or a persistent vegetative state. The Bill is now pending approval of the President.

Significant judicial developments took place in December 2024, where the Supreme Court issued guidelines for the disposal of mercy petitions, and for the issuance of death sentence warrants.

01

The new criminal codes

The IPC punishes 11 offences with the death penalty (including murder, dacoity with murder, kidnapping with murder, rape resulting in death or persistent vegetative state, gang-rape of children below the age of 12 years and waging war against India). The BNS expands the offences punishable with death from 15 to 18 by introducing new offences within its ambit. These offences include organised crime, terrorist act, and murder committed by a life convict.

The BNSS lays out a procedural framework for the hearing of mercy petitions filed by death row prisoners. The Sanhita lays out a thirty-day timeline for death row prisoners, their family members or 'any other relative' to file a mercy petition before the Governor from the date of final judgment which confirmed the death sentence. Further, it mandates the Central government to process these petitions and forward recommendations to the President within sixty days. In effect, the BNSS can preclude interested third parties (such as NGOs and civil societies) from filing mercy

petitions on behalf of death row prisoners, although such parties have been instrumental in filing effective petitions in the past. The thirty-day timeline can impact the ability of prisoners to gather and present relevant materials to seek mercy.

In its five-judge (Constitution) Bench decision in *Shatrughan Chauhan v. Union of India* (2014),⁴⁶ the Supreme Court has held that no strict timeline can be imposed for the filing and processing of mercy petitions, given the variances of materials in each individual case. In this context, the timelines introduced under the BNSS may be incongruent with the Supreme Court's rulings.

02

The Aparijita Woman and Child (West Bengal Criminal Laws Amendment Bill) 2024

The West Bengal State Legislative Assembly passed the Aparajita Bill on 3 September 2024, in response to the rape and murder of a doctor in her workplace in Kolkata, India. The Bill (which had been passed unanimously) was referred by the Governor of West Bengal to the President of India on 6 September 2024, citing defects and lapses. The Bill is currently pending approval from the President.

The Aparajita Bill enhances punishments for sexual offences and introduces the death penalty for a variety of sexual offences across the BNS and the POCSO Act. Most significantly, the Bill introduces a mandatory sentence of death for rape resulting in death or persistent vegetative state under Section 376A IPC/ Section 66 BNS.

Non-homicidal rape of an adult woman⁴⁷ is punishable with death under the Bill. Previously, other non-homicidal offences which had been made punishable with death includes the rape of a minor under the age of 12 (under Section 376AB IPC and Section 6 POCSO Act) and kidnapping for ransom with attempt to murder

⁴⁶ Writ Petition (Crl) no. 55 of 2013, order dt. 21.01.2014 [Supreme Court of India].

⁴⁷ Section 375, 376 Indian Penal Code, 1860; Sections 63, 64 Bharatiya Nyaya Sanhita, 2023.

(Section 364A IPC/Section BNS). However, prescribing the death penalty for non-homicidal offences violates India's international human rights obligations under the ICCPR.

The Bill introduces a mandatory death sentence for rape that results in death or persistent vegetative state. Elsewhere, the law has retained the mandatory death sentence under legislation such as the Arms Act.⁴⁸ However, the Supreme Court in a five-judge (Constitution) bench in *Mithu v. State of Punjab* (1983) had found mandatory death sentences to be unconstitutional for the lack of judicial discretion.

03

Guidelines for disposal of mercy petitions

A three-judge bench of the Supreme Court in *State of Maharashtra and Ors v. Pradeep Yashwant Kokade*⁴⁹ issued directions to State governments and trial courts on the disposal of mercy petitions, and the issuance of death warrants in order to avoid inordinate delay. The Supreme Court found that inordinate delay on the part of trial courts in issuing death sentence warrants also constitutes a violation of the prisoner's right to life, entitling them to commutations.

The Court directed State governments to set up a dedicated cell for mercy petitions in the Home or Prison departments for effective and timely processing, and also mandated them to inform trial courts about the rejection of mercy petitions.

The Court also directed trial courts (which had received intimation of death sentence confirmations from the High courts) to issue notice to the Public Prosecutor to find out further appeals which may have been filed by the prisoner. Further, it directed trial courts

⁴⁸ Section 25, Arms Act 1959.

⁴⁹ Criminal Appeal No. 2832 of 2023, Supreme Court of India [order dt. 09.12.2024].

DEVELOPMENTS IN THE LAW

ascertain their intention to file appeals/review petitions against the decision. Finally, the Court reiterated the fifteen day timeline between the date of the warrant and the proposed date of execution to enable prisoners to take recourse to legal remedies, or to meet their family members.



INTERNATIONAL DEVELOPMENTS

01

United Nations General Assembly Vote on a Moratorium on the Death Penalty

The third Committee of the United Nations General Assembly approved a draft resolution titled 'Moratorium on use of the death penalty' on 13th November 2024, with 131 countries voting in favour of establishing a moratorium on executions and abolishing the death penalty. 36 countries voted against the resolution, including India, and 21 countries abstained from voting.

2024 sees the highest number of countries voting in favour of a moratorium and the abolition of the death penalty. Previously, 125 countries had voted in favour of the same in 2022.

02

Zimbabwe abolishes the death penalty

In December 2024, Zimbabwe's Senate passed the Death Penalty Abolition Act to abolish the death penalty for all offences, retaining its use only for the duration of any public emergency. President Emerson Mgungwawa signed the law and brought it to effect on December 31, 2024. The country's last execution had taken place in 2020.

03

Taiwan imposes restrictions on the death penalty

The Constitutional Court of Taiwan upheld the constitutionality of the death penalty for serious offences such as murder in its decision dated 20th September 2024. However, the Court introduced prohibitions to the death penalty on persons with psychosocial disabilities, and established requirements to provide persons accused of serious offences with legal representation during investigation, trial. The Court also placed mandatory requirements to conduct oral sentencing hearings across all stages of a death penalty case.

04

Kenya commutes death sentences of all prisoners on death row

President Urtu Kenyatta issued orders commuting the death sentences of all the 2747 death row prisoners in Kenya to life imprisonment. Previously, Kenya had commuted the death sentences of 4000 death row prisoners in the country in 2009. The country has not conducted any execution since 2009.

FINAL OBSERVATIONS

2024 saw the highest number of people living under a sentence of death in India since the turn of this century. This year, the death row population reached its highest for the first time since the year 2000, demonstrating the unabated nature of increase in the death row population. Our past Annual Statistics reports have attributed these rates to the high imposition of death sentences at trial courts, and the low rates of death penalty appeal disposals at High Courts. In continuance of past year trends, trial courts maintained a high rate of death sentences.

The increase in death row numbers continue, even as the overwhelming majority of death sentences were imposed in the absence of any information about the accused (including jail conduct and mental health reports) for the third calendar year in a row. These trends have persisted since the Supreme Court's directions to collect such information in *Manoj v. State of Madhya Pradesh* (2022).

In a significant turn, High Courts confirmed 9 death sentences – the highest ever for High Courts in a single year since 2019. Further, High Court death penalty appeals were disposed of without seeking information about the accused including mitigation reports, jail conduct reports and psychiatric evaluations. In contrast, the Supreme Court did not confirm any death sentence for the second consecutive year, and sought information and materials about the accused during sentencing in 4 out of its 5 decisions that commuted death sentences. By eliciting such information at capital sentencing, the Supreme Court continues its developments in capital sentencing since 2021. These practices at the High Courts and the Supreme Court indicate a variance in the administration of the death penalty at both levels of the judiciary.

Sexual offences continue to hold sway with the legislative and judicial administration of the death penalty. While trial court death sentences for sexual offences saw a noticeable decrease since

FINAL OBSERVATIONS

2019, High Court confirmations and LWOR sentences were dominated by sexual offences. Besides, 2024 saw legislative expansion of the death penalty with the BNS and the Aparajita Bill.

India's vote against the United Nations' General Assembly resolution seeking a moratorium on executions and efforts to abolish the death penalty reflects its insistence towards retaining capital punishment, even as death row numbers continue to rise, and new laws expand the use of this punishment.

The figures reported in this edition of the Death Penalty in India: Annual Statistics Report signify a persisting gulf between death penalty developments at the appellate court levels- especially from the Supreme Court- and its failure in percolating through trial courts. In September 2022, the Supreme Court's order, which had referred the issue of framing guidelines to conduct a meaningful sentencing hearing in death penalty cases - was yet to be convened this year even as death row numbers in India continue to increase in the absence of trial court compliance with the Supreme Court's decision.

CORRECTIONS TO ANNUAL STATISTICS

- Subsequent access to court records reveal that the number of death sentences imposed in 2023 was 122 in 90 cases (and not 120, as was reported in the previous edition). Both death sentences were imposed for murder simpliciter.
- Subsequent access to court records from the year 2023 yielded the availability of a total of 72 death penalty cases at the trial court available (as opposed to 69 cases reported last year). The figures reported in the section 'Duration Between Conviction and Sentencing Hearing in 2024' have been updated to reflect the change.
- 8 additional High Court cases involving 9 prisoners from 2023 were subsequently identified and have been included in this edition. All 9 prisoners received death sentence commutations, taking the number of commutations from 36 to 45. In light of this update, the total number of High Court cases disposed of in 2023 stands at 65 (and not 57, as was initially reported).
- In light of these corrections, the number of prisoners on death row at the end of 2023 stood at 554 prisoners.



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