

No Hope for Mahendra Das



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Its confirmed. Mahendra Das must go to the gallows. The Gauhati High Court on Thursday set the stage for the execution of death sentence on the man who had been convicted and lodged in jail since 1997. The verdict came when it dismissed a writ petition filed by the convict's mother to commute the sentence of her son to life imprisonment.

According to the Petitioner's counsel Bhaskardev Konwar, the order was passed by a division bench of the Gauhati High Court, comprising Justice IA Ansari and Justice H. Baruah after hearing both sides and perusing documents submitted by the state and union government on queries relating to delay in disposing of a mercy petition of the convict by President Pratibha Patil.

The court further noted that the petitioner, in this case the convict's mother, did not have the locus standi to maintain a writ petition under Article 226 because her rights had not been violated and that the person (Das) whose right is alleged to have been violated, had not made any claim himself.

Notably, Das, was sentenced to death by the Kamrup District Sessions Court in Assam way back in August 1997 for the brutal murder of one Hara Kanta Das at Fancy Bazar in Guwahati city on 24 April 1996. Immediately after committing the heinous crime Das had surrendered before the police along with the murder weapon and the severed head of the victim dangling from his hand. The death sentence was later confirmed by the Gauhati High Court in February 1998 and subsequently upheld by the Supreme Court in May 1999.

It may be mentioned that Das has been waiting in jail for the execution of the death sentence for the past 14 years, after a mercy petition he sent to the President in June 1999 was rejected only in May this year. The Gauhati High Court on June 17 had in response to the petition filed on his behalf gave an interim stay order on execution of death sentence and issued notices on the state and union government to explain as to why it took more than 12 years to dispose of the mercy petition.

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