

DEATH PENALTY IN INDIA



PROJECT 39A
EQUAL JUSTICE
EQUAL OPPORTUNITY

Annual ■
Statistics ■
Report ■
2021

LIST OF CONTRIBUTORS

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FOREWORD

This is the sixth edition of the *Death Penalty in India: Annual Statistics Report*. The implementation of the death penalty in India has seen significant shifts over the course of the last six years.

With 488 prisoners under the sentence of death at the end of 2021, this is the highest number of persons on death row since we started maintaining these records. This is attributable to the trial courts imposing death sentences at pre-pandemic levels but appellate courts deciding far fewer death sentence cases. In the last six years, 2020 had the lowest number of death sentences imposed by trial courts (78) due to the pandemic. However, 2021 saw a sharp increase to nearly double that number at 144. Appellate courts decided far fewer matters compared to previous years, with the High Courts deciding 39 matters (76 in 2019) and the Supreme Court deciding 6 (28 in 2019). It must also be mentioned that 2021 is the first year since we started publishing the annual statistics that the Supreme Court did not uphold a single death sentence.

As with our previous editions, we have kept up our efforts to improvise and innovate our data collection methods to plug various gaps that exist. We continue to rely on news reports of death sentences imposed by trial courts across English and Hindi online news outlets, which are then verified against judgments uploaded on High Court and district court websites.

Exceptional contributions by Ashna Devaprasad (V-year, NUALS Kochi) were instrumental in compiling the statistics for the present report. In addition, the tireless efforts of Anushree Verma, Ayan Gupta, V. Shanthan Reddy, and Tanishka Goswami in verifying the data made the timely publication of this report possible. We also thank Samriddha Sen (V-year, Department of Law, University of Calcutta) for the research assistance provided.

None of this would have been possible without the efforts of Varsha Sharma and Pritam Raman Giriya who were instrumental in the development of the original directory and publication of previous reports. Lubhyathi Rangarajan, Peter John, Poornima Rajeshwar, Rahul Raman, Neetika Vishwanath, Preeti Pratishruti Dash, Gale Andrew, and Aishwarya Mohanty have played key roles in authoring previous editions of the report.

OVERVIEW OF DEVELOPMENTS IN 2021

2021 saw the highest number of prisoners on death row at the end of the year since 2016 at 488, an increase of nearly 21% from 2020. When compared with data from the Prison Statistics of India reports released by the National Crime Records Bureau, this is the highest the death row population has been since 2004, when it was 563.

Although 2020 had the lowest number of death sentences imposed by trial courts in six years at 78 due to the pandemic, 2021 saw a sharp increase to nearly double that at 144. However, appellate courts decided far fewer matters, with High Courts deciding 39 matters in 2021 and 31 matters in 2020 compared to 76 in 2019. In September 2021, the Supreme Court listed death sentence matters on priority, and ultimately decided six matters in 2021, compared to 11 in 2020 and 28 in 2019. The limited functioning of appellate courts in both 2020 and 2021 meant fewer appeals of prisoners sentenced to death being decided, and a far greater number of prisoners remaining on death row at the end of the year.

Out of the 39 cases decided by High Courts, four resulted in confirmation of the death sentences, 18 in commutation to life imprisonment, 15 in acquittal of all charges, and two cases were remitted to the trial court. The Supreme Court did not confirm any death sentences in 2021. Four prisoners in two cases were acquitted of murder simpliciter and dacoity with murder respectively. The death sentences of five prisoners were commuted in four cases, two cases being that of murder involving sexual offences, while the other two were of murder simpliciter.

Murder simpliciter accounted for a majority of the death sentences imposed by trial courts in 2021 at 62 out of 144 death sentences, compared to 48 death sentences for cases involving sexual offences. However, these 48 death sentences were imposed in 45 cases of sexual violence¹ while the 62 death sentences for murder simpliciter were imposed in 34 cases. Therefore, sexual offences accounted for 54.21% of all cases that resulted in a death sentence. This indicates that sexual violence cases continue to

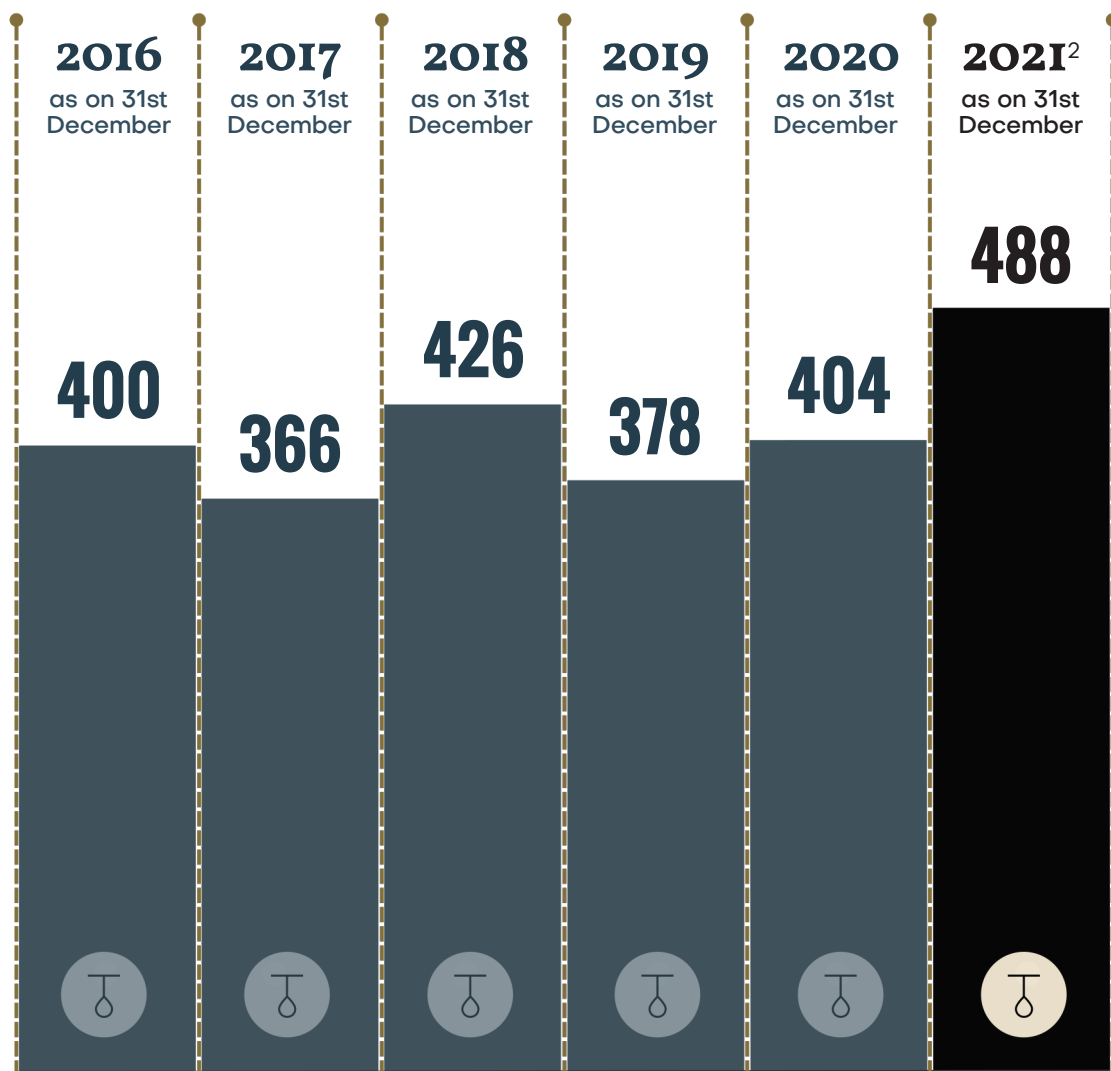
¹ Sexual violence cases include homicidal and non-homicidal sexual offences, i.e., Murder involving Sexual Offences and Child Rape without Murder.

heavily influence the implementation of death penalty in India, even if the proportion of sexual violence cases has decreased from that of 2019 and 2020 when it was at 61.62% and 59.67% respectively.

The death penalty was introduced by both the Punjab and Madhya Pradesh legislature in March 2021 and August 2021 respectively, for the offence of causing deaths by the sale or manufacture of spurious liquor. For the first time in six years, the death penalty was imposed by a trial court for dealing in spurious liquor, with nine prisoners sentenced to death in one case under the Bihar Prohibition and Excise Act, 2016. Maharashtra's state legislature unanimously approved a bill introducing the death penalty for 'heinous' offences of rape and gangrape. The Ministry of Women & Child Development also introduced a bill that imposes capital punishment for repeat aggravated trafficking crimes involving children and women.

CUMULATIVE FIGURES ON PERSONS SENTENCED TO DEATH

No. of Prisoners on Death Row



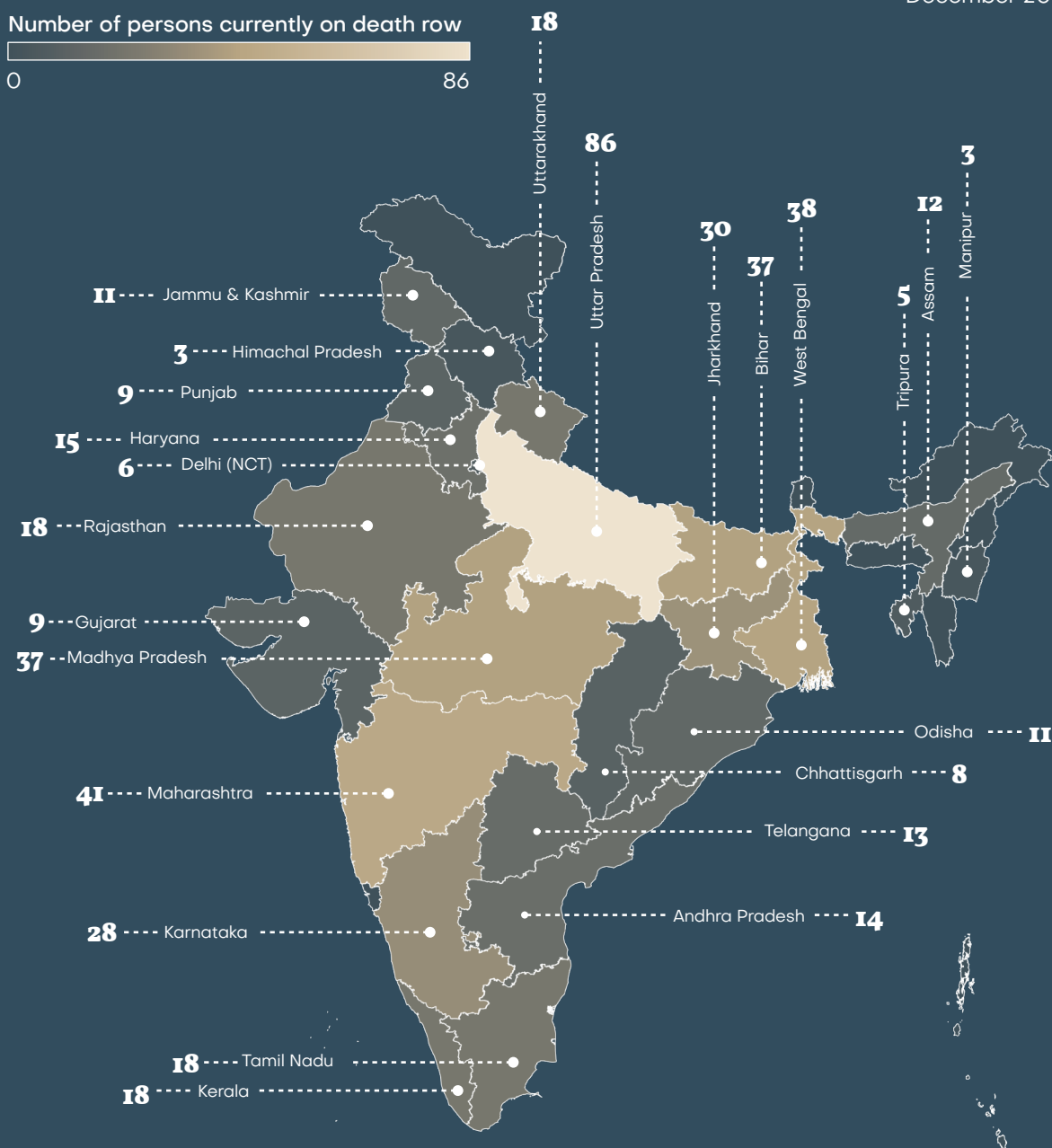
² The status of two prisoners sentenced to death in previous years remains unclear from publicly available records.

STATE-WISE DISTRIBUTION OF PERSONS ON DEATH ROW

488

Prisoners sentenced
to death as on 31st
December 2021

Number of persons currently on death row



DEATH PENALTY CASES 2021³

 Death Sentences

 Confirmations

 Commutations

 Acquittals

 Remitted



SUPREME COURT



HIGH COURTS



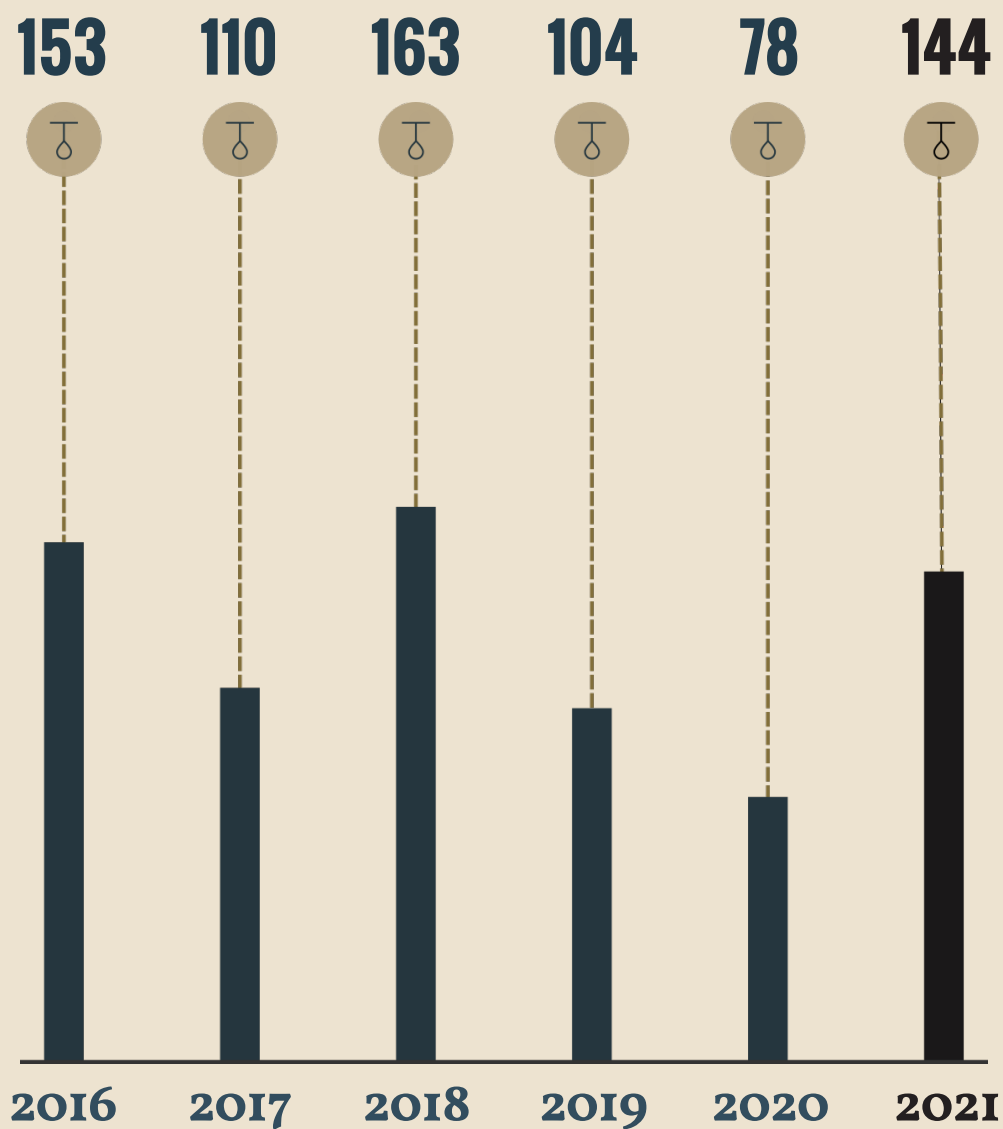
SESSIONS COURTS



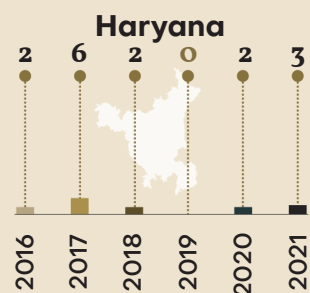
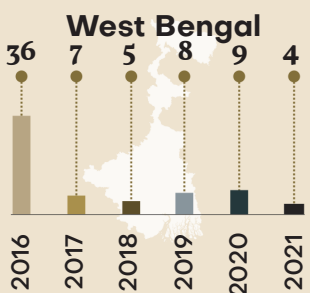
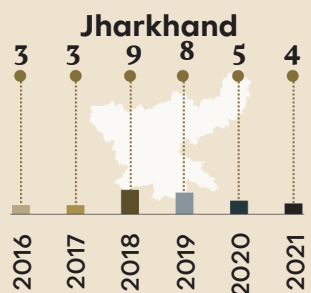
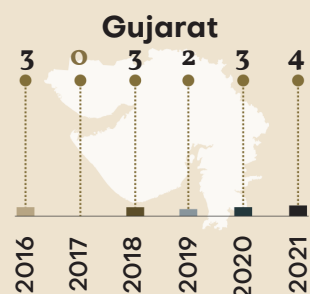
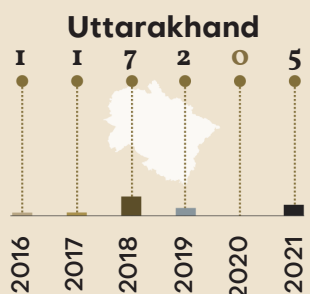
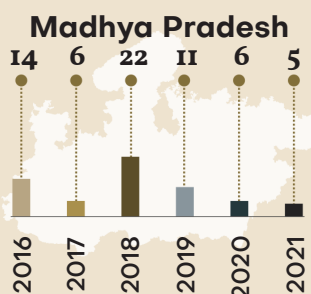
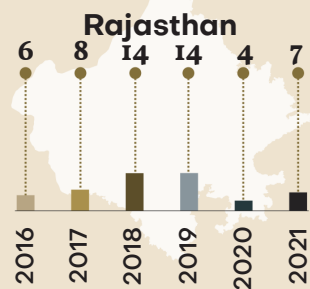
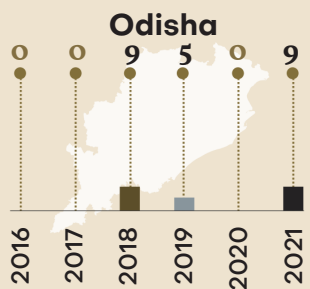
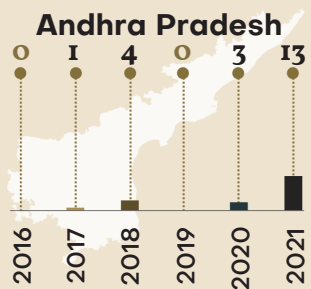
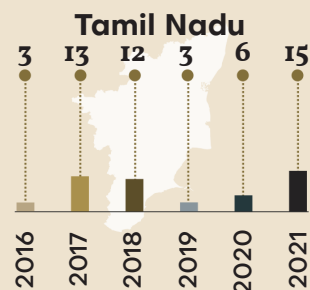
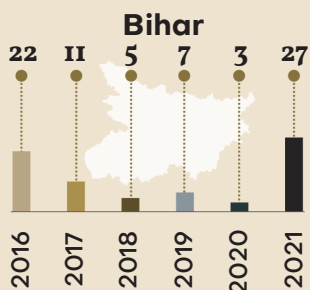
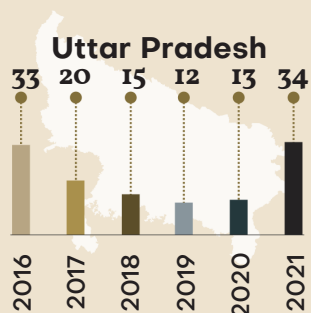
³ In the format of Prisoners (Cases).

SESSIONS COURTS IN 2021

Number of Death Sentences Imposed by Sessions Courts



STATE-WISE DISTRIBUTION OF DEATH SENTENCES IMPOSED BY SESSIONS COURTS



**Total
Death
Sentences**

2016
153

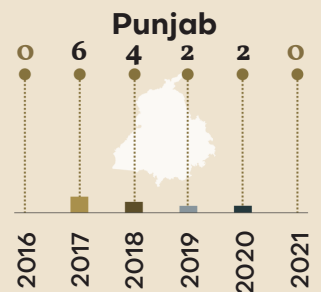
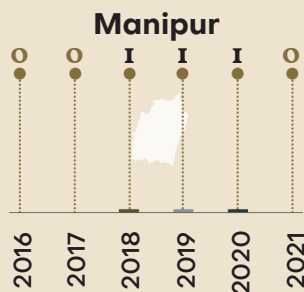
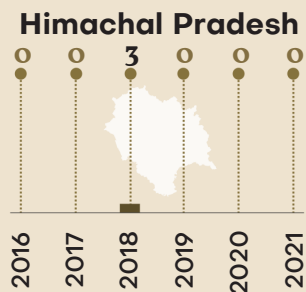
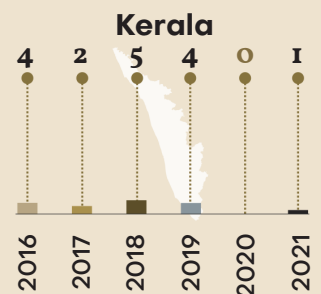
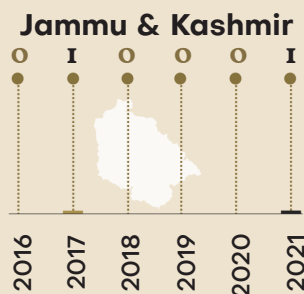
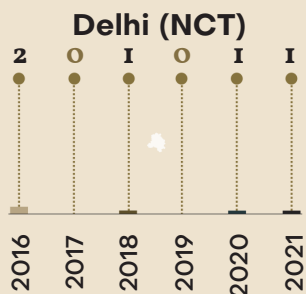
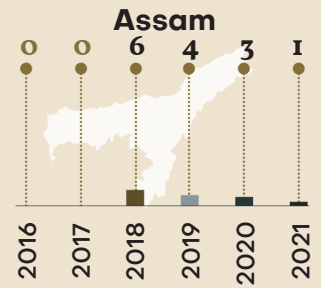
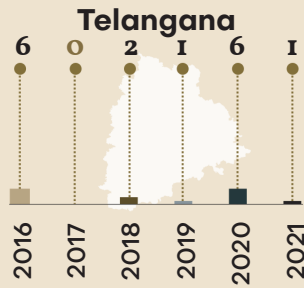
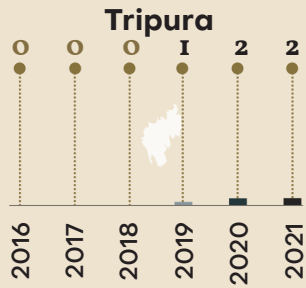
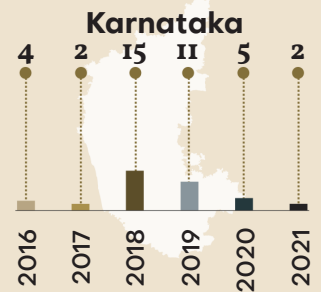
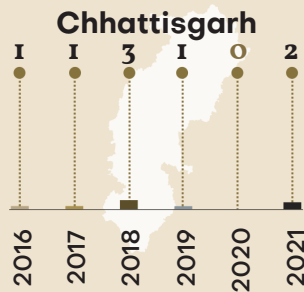
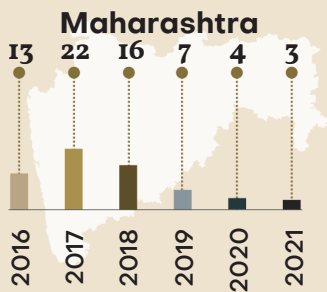
2017
110

2018
163

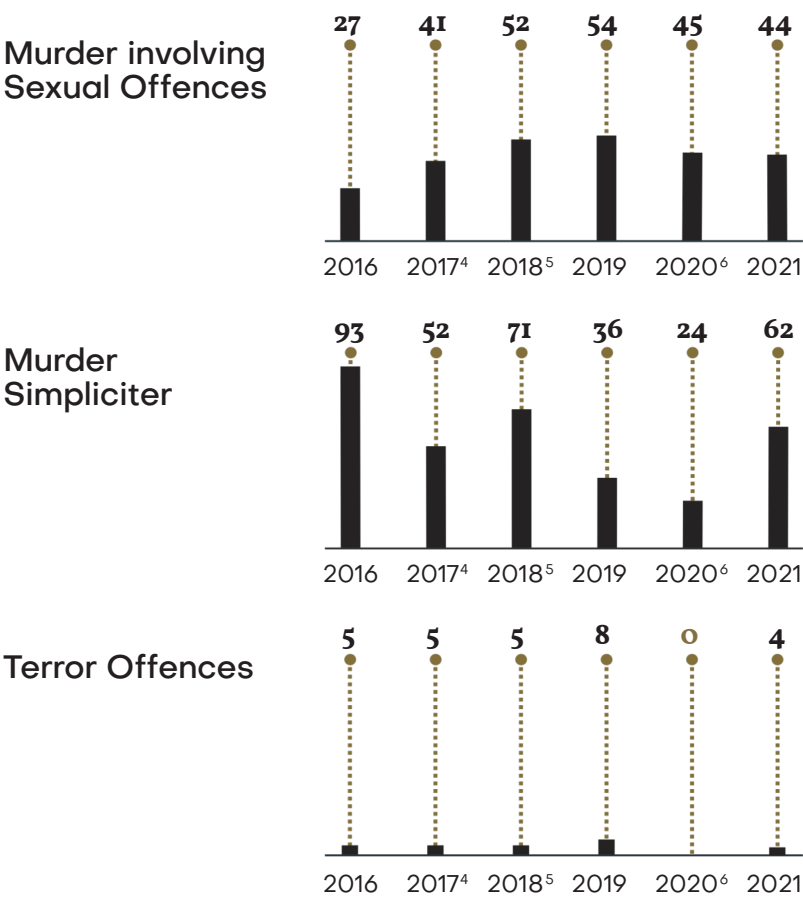
2019
104

2020
78

2021
144



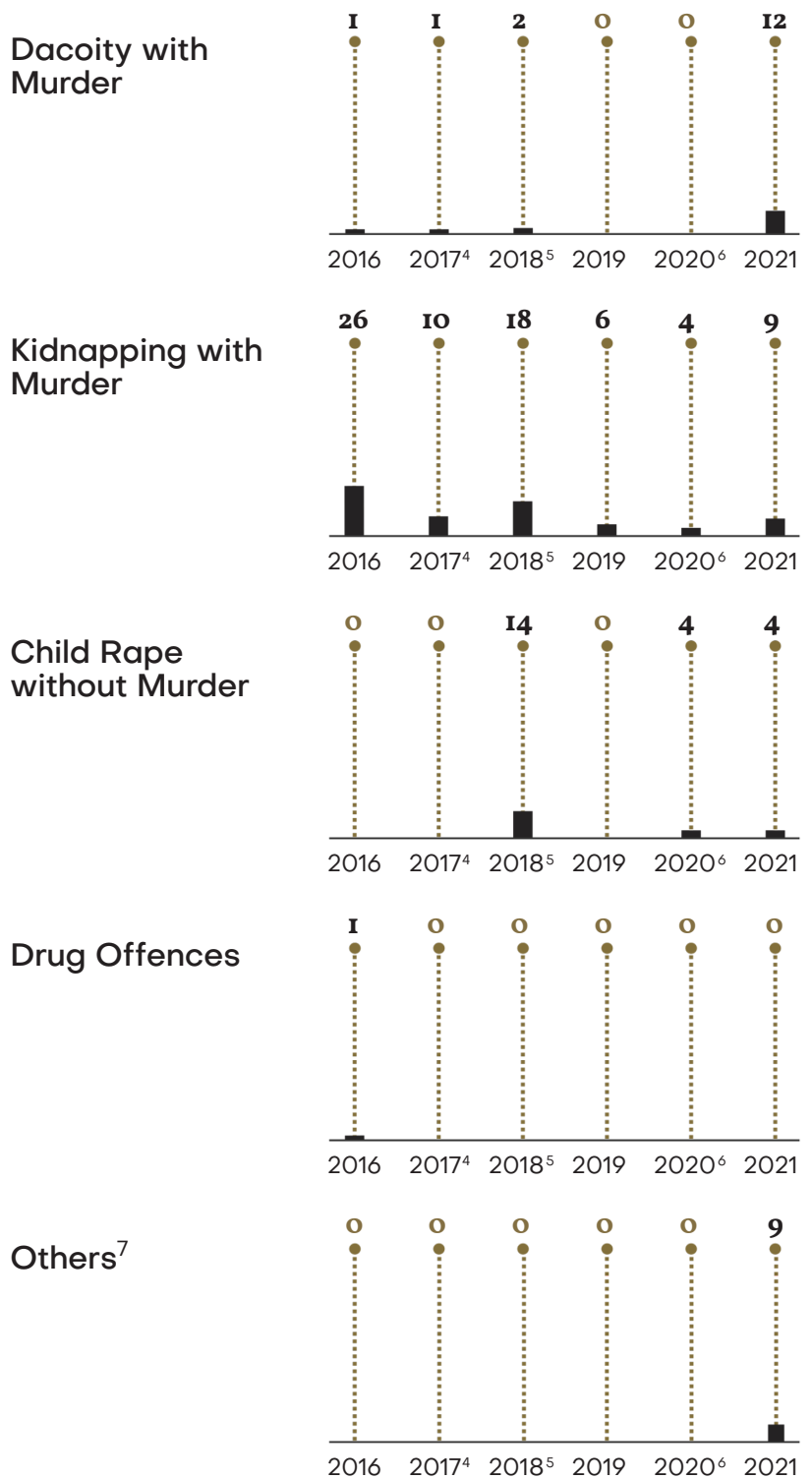
NATURE OF OFFENCES FOR THOSE SENTENCED TO DEATH BY SESSIONS COURTS



⁴ In one case involving one prisoner, the details of the nature of offence are unavailable.

⁵ In one case involving one prisoner, the details of the nature of offence are unavailable.

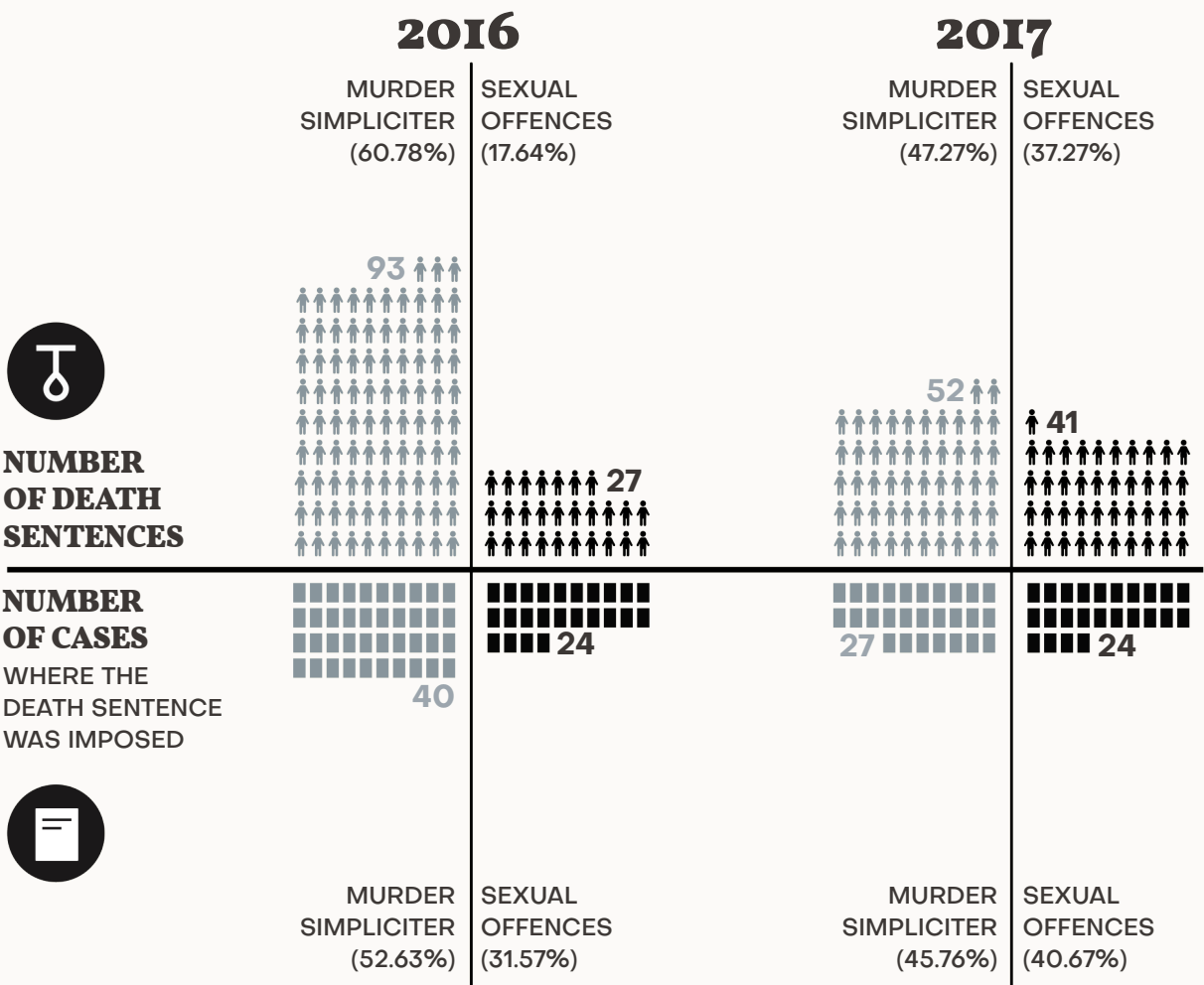
⁶ In one case involving one prisoner, the details of the nature of offence are unavailable.



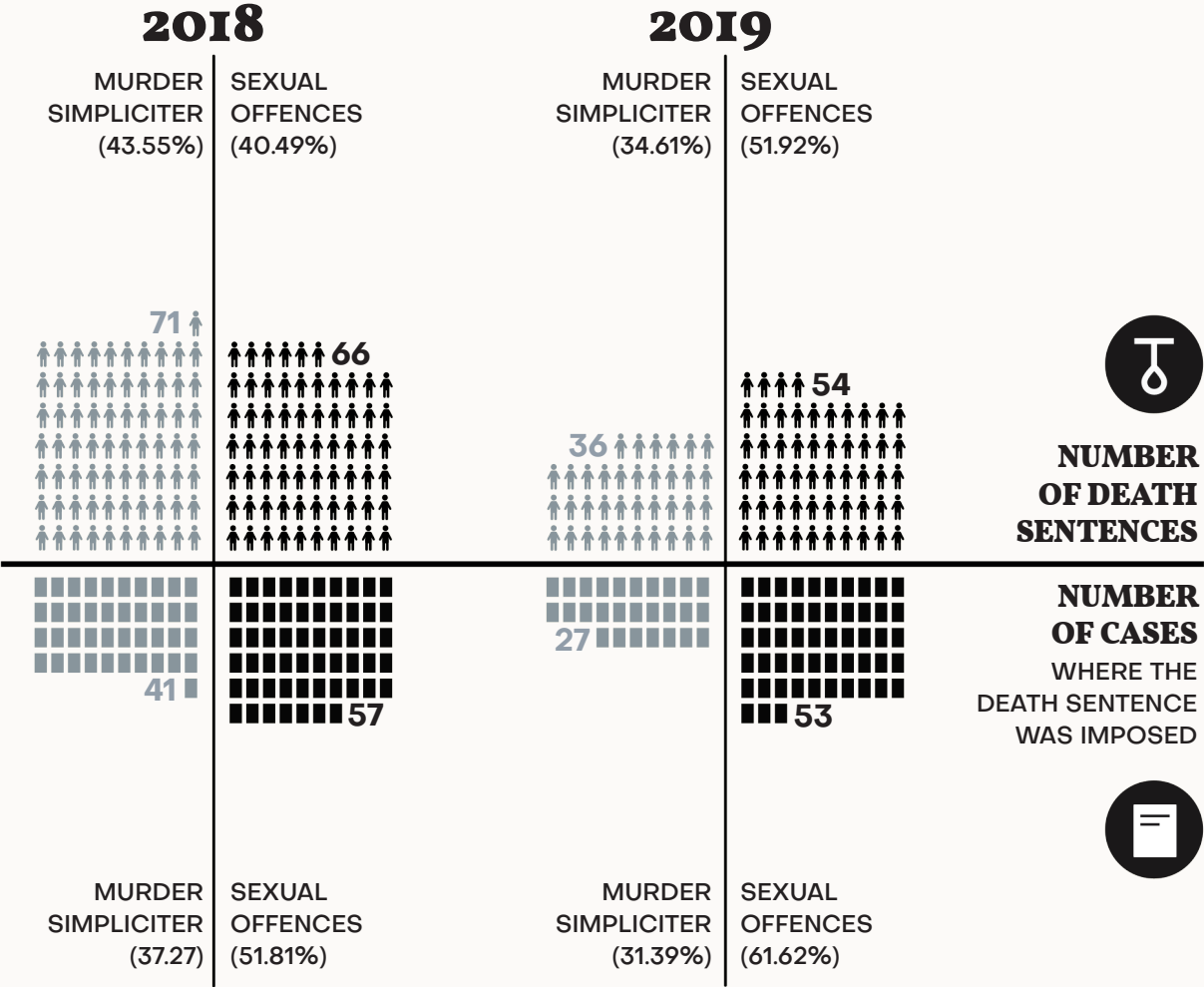
⁷ The offence involved the sale of spurious liquor which took the lives of 19 people and resulted in the loss of eyesight of six others.

DEATH PENALTY IN CASES OF SEXUAL OFFENCES

Number of Death Sentences and Cases involving Murder
Simpliciter and Sexual Offences^{8 9}



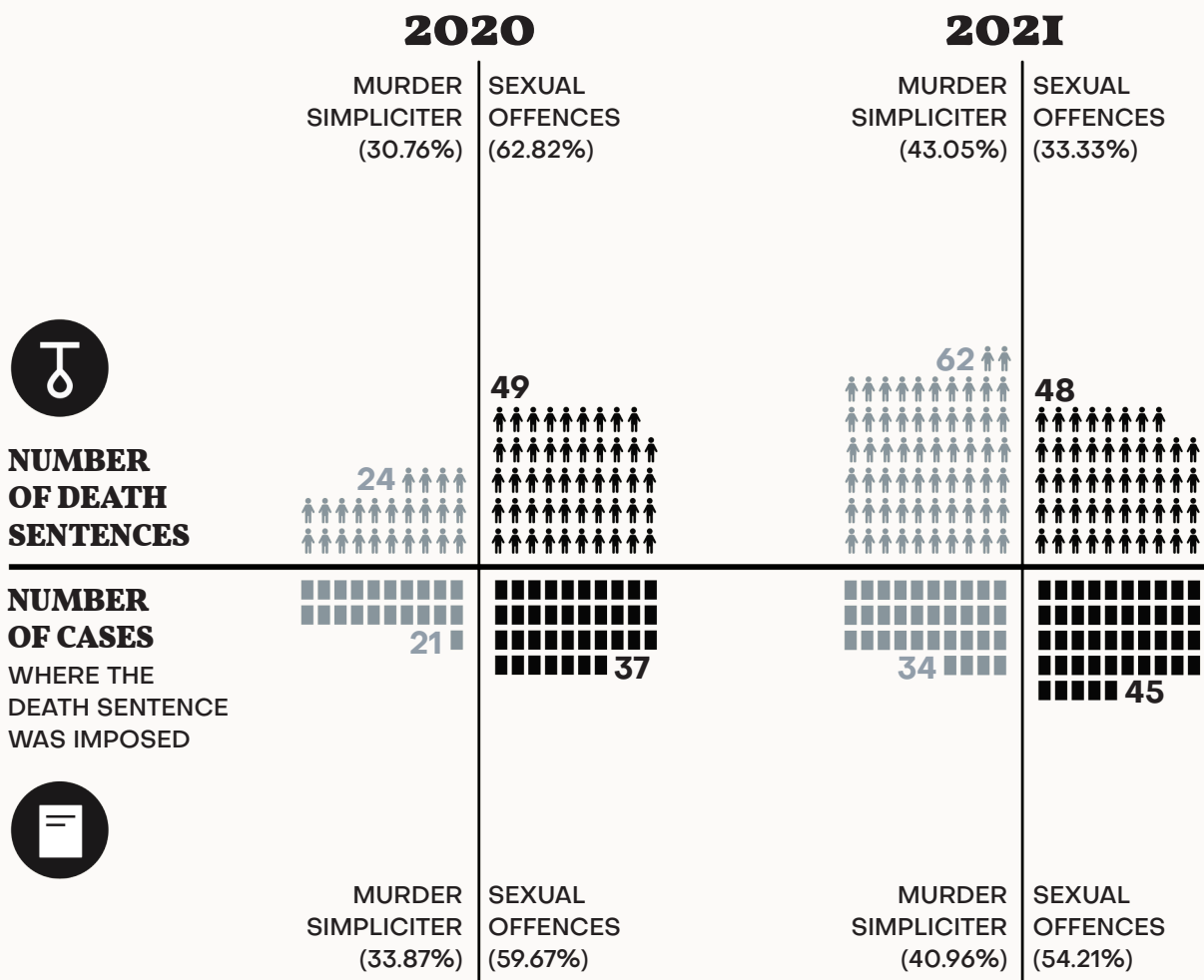
⁸ This data, for death sentences imposed for sexual offences, includes sentences imposed for non-homicidal rape of minors. If excluded, the percentages change to 17.64%, 37.27%, 31.90%, 51.92%, 57.69% and 30.55% for 2016, 2017, 2018, 2019, 2020, and 2021 respectively.



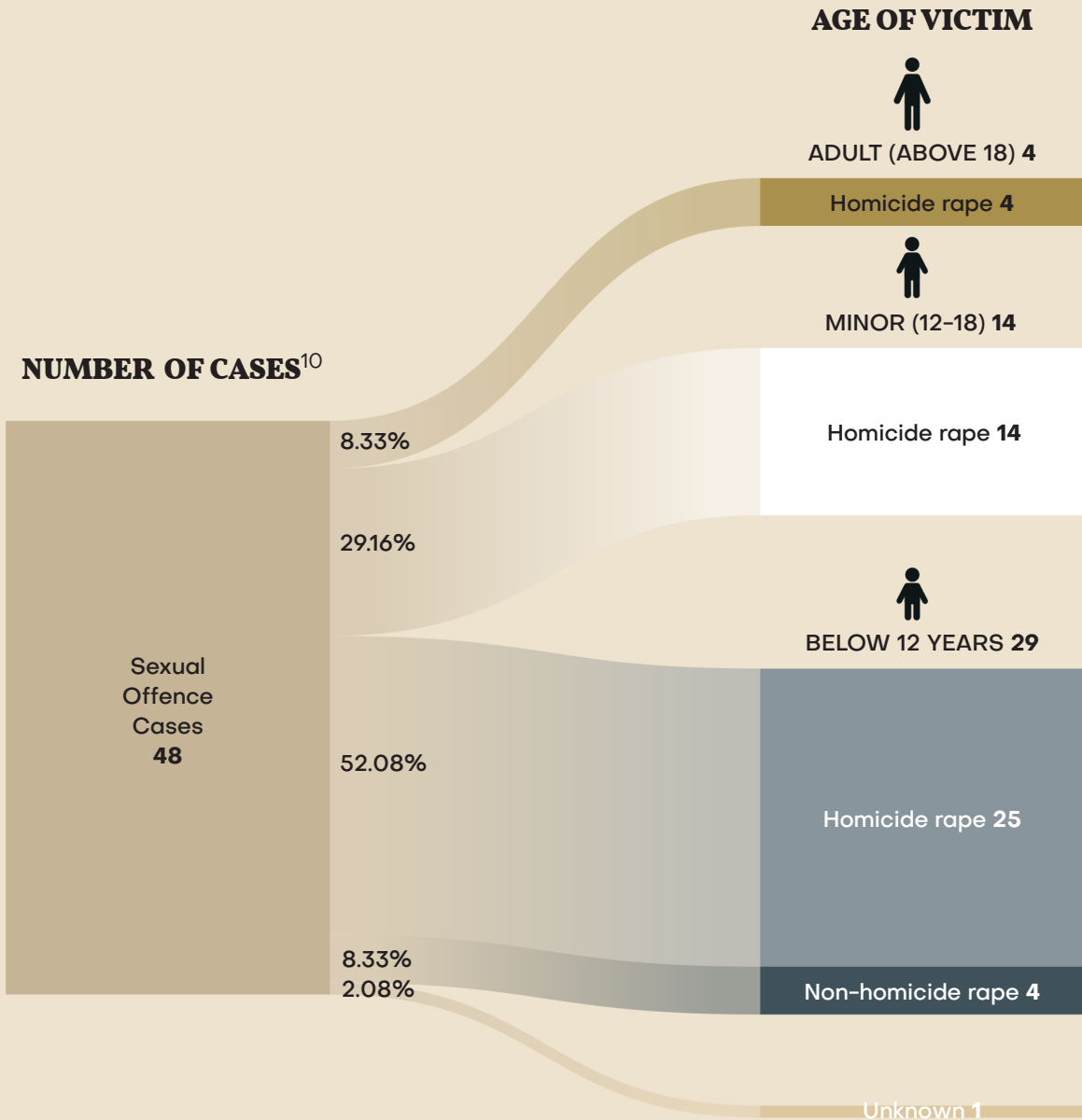
9 This data, for cases involving sexual offences, includes cases involving non-homicidal rape of minors where the death sentence was imposed. If excluded, the percentages change to 31.57%, 40.67%, 42.72%, 61.62%, 54.84% and 49.39% for 2016, 2017, 2018, 2019, 2020, and 2021 respectively.

Death Penalty In Cases Of Sexual Offences

In 2021, the proportion of death sentences for sexual offences has decreased to less than that of murder simpliciter, in contrast to the distribution in 2019 and 2020. However cases involving sexual offences form a majority of the total number of cases in which the death sentence was imposed by trial courts. This means there were fewer cases of murder simpliciter that resulted in death sentences, but these had multiple accused sentenced to death resulting in a greater number of death sentences in this category.



AGE OF VICTIM IN SEXUAL OFFENCE CASES WHERE DEATH SENTENCES WERE IMPOSED IN 2021



¹⁰ In one case involving sexual offences, the age of the victim is unclear.

HIGH COURTS IN 2021 ¹¹

	2016	2017	2018
High Court Confirmations	16 (11) ¹²	11 (10)	23 (18)
High Court Commutations	58 (38) ¹³	58 (39) ¹⁴	53 (35)
High Court Acquittals	18 (12)	35 (23)	27 (12)
Remitted to Trial Courts by High Courts	11 (1)	10 (5)	10 (6)

¹¹ In the format of Prisoners (Cases).

¹² Includes one case involving one prisoner, in which the High Court enhanced the sentence from life imprisonment to death penalty.

¹³ In two cases, involving two prisoners, the High Court acquitted the prisoners of the charge carrying the death penalty, which resulted in a reduced sentence for the prisoners.

¹⁴ In seven cases, involving seven prisoners, the High Court acquitted the prisoners of the charge carrying the death penalty, which resulted in a reduced sentence for the prisoners.

2019¹⁵

2020

2021

26

(15)

3

(3)

6

(5)¹⁷

High Court
Confirmations

59

(38)¹⁶

22

(17)

21

(18)

High Court
Commutations

31

(17)

5

(5)

29

(15)

High Court
Acquittals

15

(7)

9

(6)

2

(2)

Remitted to
Trial Courts by
High Courts

¹⁵ One prisoner died before his case was confirmed by the High Court. One prisoner was declared a juvenile.

¹⁶ In one case involving two prisoners, the High Court commuted the death sentence in a writ petition challenging the rejection of the mercy petition by the President of India.

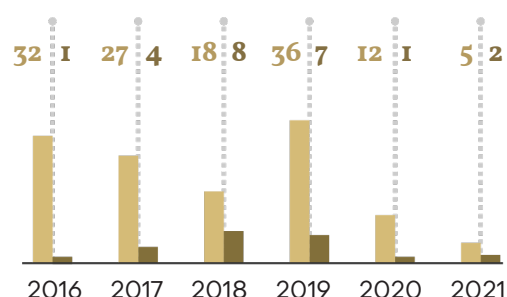
¹⁷ In one case involving one prisoner, the High Court dismissed the writ petition challenging the rejection of the mercy petition by the President of India.

NATURE OF OFFENCES IN THE HIGH COURTS IN 2021¹⁸

21 | **05**
Commutations | Confirmations

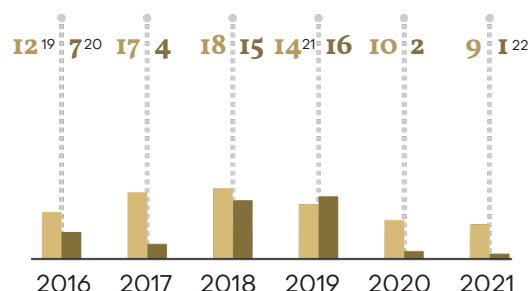
Murder Simpliciter

COMMUTED 5
CONFIRMED 2



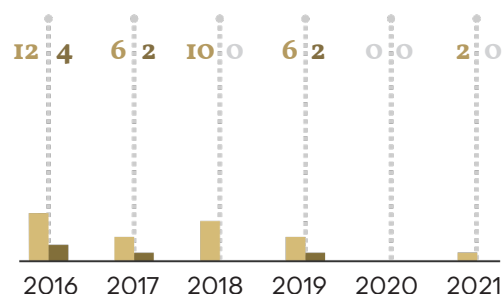
Murder involving Sexual Offences

COMMUTED 9
CONFIRMED 1



Kidnapping with Murder

COMMUTED 2
CONFIRMED 0



¹⁸ Indicating number of prisoners.

¹⁹ This data excludes two cases, involving two 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.

²⁰ Includes one case of the High Court enhancing the sentence from life imprisonment to death penalty.

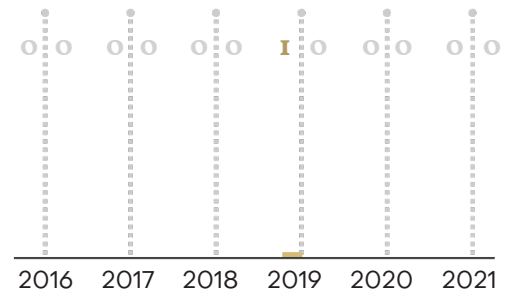
²¹ This data excludes one case involving two prisoners in which the High Court commuted the death sentence in a writ petition challenging the rejection of the mercy petition by the President of India.

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

Drug Offences

COMMUTED 0

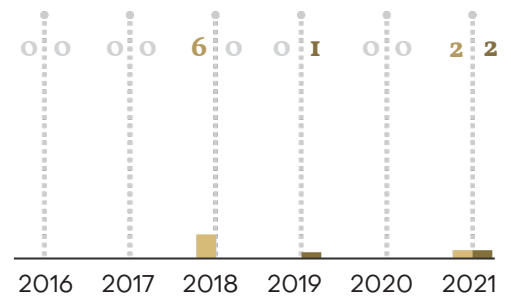
CONFIRMED 0



Child Rape without Murder

COMMUTED 2

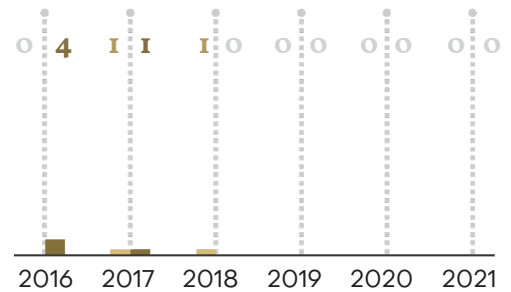
CONFIRMED 2



Dacoity with Murder

COMMUTED 0

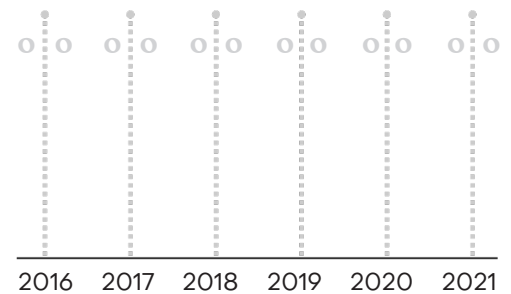
CONFIRMED 0



Terror Offences

COMMUTED 0

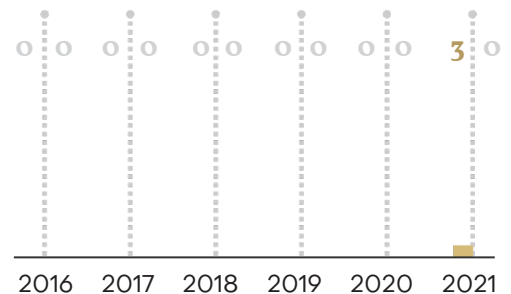
CONFIRMED 0



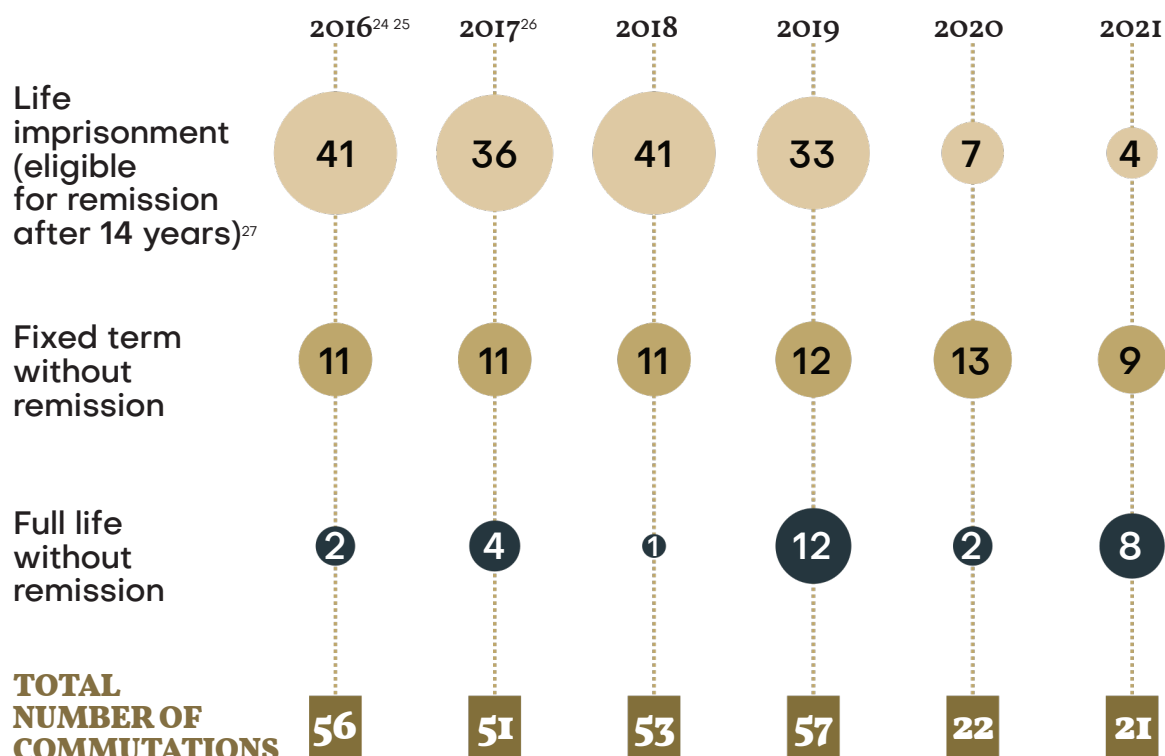
Repeat Offender of Sexual Offences (Section 376E IPC)

COMMUTED 3

CONFIRMED 0



SENTENCES IMPOSED BY HIGH COURTS ON COMMUTATION OF DEATH SENTENCE²³



²³ Indicating number of prisoners.

²⁴ This data excludes two cases, involving two 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 Information is not available in two cases due to the unavailability of judgments.

²⁶ This data excludes seven cases, involving seven 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.

²⁷ 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)'.

HIGH COURT CONFIRMATIONS IN 2021²⁸

05

No. of persons

04

No. of cases



Court



Coram



Nature of Offence

MADHYA PRADESH

No. of persons



No. of cases



09.09.2021



Indore Bench



Justices Vivek Rusia & Shailendra Shukla
State of Madhya Pradesh v. Irfan and Ors.



Child Rape without Murder

MAHARASHTRA

No. of persons



No. of cases



25.11.2021



Bombay Bench



Justices Sadhana S. Jadhav & Prithviraj K. Chavan
State of Maharashtra v. Ramkirat Munilal Goud



Murder involving Sexual Offences

13.12.2021



Aurangabad Bench



Justices V.K. Jadhav & Shrikant D. Kulkarni
State of Maharashtra v. Digambar s/o Daburao Dasre



Murder Simpliciter

²⁸ This data excludes one case involving one prisoner in which the High Court dismissed the writ petition challenging the rejection of the mercy petition by the President of India.

High Court Confirmations



Court



Coram



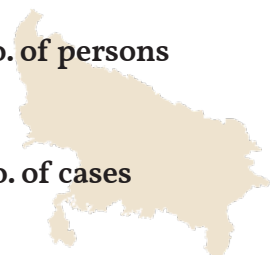
Nature of Offence

UTTAR PRADESH

No. of persons



No. of cases



09.07.2021



Lucknow Bench



Justices Ramesh Sinha & Rajeev Singh

State of Uttar Pradesh v. Ramanand @ Nand Lal
Bharti



Murder Simpliciter

HIGH COURT COMMUTATIONS IN 2021²⁹

21 | **18**
No. of persons | No. of cases

 Court  Coram  Nature of Offence  Sentence Imposed on Commutation of Death Sentence

ASSAM

No. of Persons



No. of Cases



28.04.2021

 **Chief Justice Sudhanshu Dhulia & Justice Manash Ranjan Pathak**

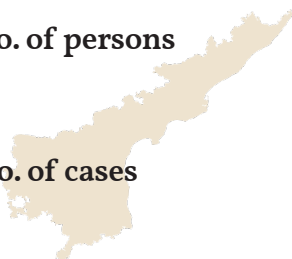
The State of Assam v. Sri Krishna Rajgaur @ Sagar

 Murder involving Sexual Offences

 Life imprisonment
(eligible for remission after 14 years)

ANDHRA PRADESH

No. of persons



No. of cases



12.08.2021

 **Justices C. Praveen & B. Krishna Mohan**

State of Andhra Pradesh v. Barlapudi Pentaiah @ Aya @ Prakash

 Murder involving Sexual Offences

 Full life without remission

²⁹ 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)'.



Court



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

GUJARAT

No. of Persons



No. of Cases



23.03.2021



Justices A.J. Desai & A.S. Supehia

State of Gujarat v. Raju @ Rajeshbhai Ishwarbhai Vaghri



Murder involving Sexual Offences



Life imprisonment
(eligible for remission after 14 years)

MAHARASHTRA

No. of persons



No. of cases



07.09.2021



Nagpur Bench



Justices V.M. Deshpande & Amit B. Borkar

State of Maharashtra v. Sagar Vishwanath Borkar and Anr.



Child Rape without Murder



Full life without remission

25.11.2021



Bombay Bench



Justices Sadhana S. Jadhav & Prithviraj K. Chavan

State of Maharashtra v. Vijay Mohan Jadhav @ Nanu and Ors.



Repeat Offender of Sexual Offences (Section 376E IPC)



Full life without remission



Court



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

MADHYA PRADESH

No. of persons



No. of cases



28.07.2021



Gwalior Bench



Justices G.S. Ahluwalia & Rajeev Kumar Shrivastava
In Reference (Suo Moto) v. Manoj



Murder involving Sexual Offences



Full life without remission

08.09.2021



Gwalior Bench



Justices G.S. Ahluwalia & Rajeev Kumar Shrivastava
In Reference v. Yogesh Nath @ Jogesh Nath



Murder involving Sexual Offences



Full life without remission

ODISHA

No. of Persons



No. of Cases



07.10.2021



Justices S.K. Mishra & Savitri Ratho
State of Odisha v. Sunil Nayak



Murder involving Sexual Offences



Fixed term without remission for 20 years



Court



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

PUNJAB

No. of Persons



No. of Cases



08.03.2021



Justices Jitendra Chauhan & Gurvinder Singh Gill

State of Punjab v. Sailesh Kumar



Kidnapping with Murder



Fixed term without remission for 20 years

RAJASTHAN

No. of persons



No. of cases



03.03.2021



Jaipur Bench



Justices Sabina & Manoj Kumar Vyas

State of Rajasthan v. Ankur Padia



Kidnapping with Murder



Fixed term without remission for 25 years

03.02.2021



Jaipur Bench



Justices Sabina & Manoj Kumar Vyas

State of Rajasthan v. Mahendra Kumar @ Narendra Kumar @ Dharmendra Kumar



Murder involving Sexual Offences



Fixed term without remission for 25 years



Court



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

TAMIL NADU

No. of persons



No. of cases



17.03.2021



Madras Bench



Justices P.N. Prakash & V. Sivagnanam

Yasar Arafath v. The State represented by the
Inspector of Police, Coimbatore District



Murder Simpliciter



Fixed term without remission for 25 years

26.04.2021



Madras Bench



Justices P.N. Prakash & V. Sivagnanam

Inspector of Police v. Santhosh Kumar



Murder involving Sexual Offences



Fixed term without remission for 25 years

28.06.2021



Madras Bench



Justices P.N. Prakash & R. Pongiappan

State by Inspector of Police v. M. Dhamodaran @
Prakash



Murder Simpliciter



Fixed term without remission for 25 years



Court



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

17.11.2021



Madurai Bench



Justices V. Bharathidasan & S. Ananthi

State by Inspector of Police v. Suresh



Murder Simpliciter



Life imprisonment

(eligible for remission after 14 years)

03.12.2021



Madurai Bench



Justices S. Vaidyanthan & G. Jayachandran

Inspector of Police v. Danish Patel



Murder involving Sexual Offences



Life imprisonment

(eligible for remission after 14 years)

10.12.2021



Madurai Bench



Justices S. Vaidyanthan & G. Jayachandran

State Represented by Inspector of Police v. Anand



Murder Simpliciter



Life imprisonment

(eligible for remission after 14 years)



Court



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

16.11.2021



Madurai Bench



Justices V. Bharathidasan & J. Nisha Banu

Inspector of Police v. Muthuraj @ Andavar



Murder Simpliciter



Fixed term without remission for 25 years

HIGH COURT ACQUITTALS IN 2021

29

No. of persons

15

No. of cases



Court



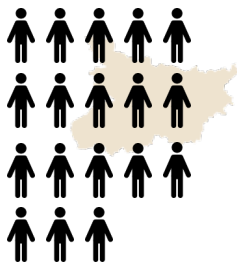
Coram



Nature of Offence

BIHAR

No. of persons



No. of cases



21.05.2021



Justices Ashwani Kumar Singh & Arvind Srivastava

The State of Bihar v. Bachesh Kumar Singh and Ors.



Murder Simpliciter

05.04.2021



Justices Ashwani Kumar Singh & Arvind Srivastava

The State of Bihar v. Prashant Kumar Mehta and Ors.



Murder involving Sexual Offences

21.06.2021



Justices Ashwani Kumar Singh & Arvind Srivastava

The State of Bihar v. Nasruddin Mian @ Lalu @
Nasiruddin Ahmad



Murder Simpliciter

23.07.2021






Justices Ashwani Kumar Singh & Arvind Srivastava


The State of Bihar v. Balwant Singh



Murder involving Sexual Offences

 Court  Coram  Nature of Offence


05.10.2021

 **Justices Ashwani Kumar Singh & Arvind Srivastava**
The State of Bihar v. Taslim (name changed)

 Murder involving Sexual Offences

10.09.2021

 **Justices Ashwani Kumar Singh & Arvind Srivastava**
Durgawati Devi and Sankesa Devi v. The State of Bihar

 Murder Simpliciter

MADHYA PRADESH

No. of persons



No. of cases



09.09.2021

 **Gwalior Bench**

 **Justices G.S. Ahluwalia & Rajeev Kumar Shrivastava**
Ravi @ Toli v. State of Madhya Pradesh

 Murder involving Sexual Offences

High Court Acquittals



Court



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

MAHARASHTRA

No. of Persons



No. of Cases



11.02.2021



Aurangabad Bench



Justices Ravindra V. Ghuge & B.U. Debadwar

State of Maharashtra v. Vishnu s/o Madan More



Murder involving Sexual Offences

25.11.2021



Bombay Bench



Justices Sadhana S. Jadhav & Prithviraj K. Chavan

State of Maharashtra v. Rahimuddin Mohfuz Shaikh @
John Anthony D'Souza @ Babu @ Baba and Anr.



Murder involving Sexual Offences

RAJASTHAN

No. of Persons



No. of Cases



22.11.2021



Jodhpur Bench



Justices Sandeep Mehta & Sameer Jain

State of Rajasthan v. Ghewar Singh



Murder involving Sexual Offences

 Court
  Coram
  Nature of Offence
  Sentence Imposed on Commutation of Death Sentence

TAMIL NADU



18.03.2021

 **Madras Bench**

 **Justices P.N. Prakash & V. Sivagnanam**

Inspector of Police v. Ashok Kumar

 Murder involving Sexual Offences

16.11.2021

 **Madurai Bench**

 **Justices V. Bharathidasan & J. Nisha Banu**

Inspector of Police v. Vasantha Kumar @ Ganesan and Rajesh @ Rajeshkanna

 Murder involving Sexual Offences

UTTAR PRADESH



02.06.2021

 **Lucknow Bench**

 **Justices Ramesh Sinha & Rajeev Singh**

State of Uttar Pradesh. v. Ubhan Yadav @ Abhay Kumar Yadav

 Murder involving Sexual Offences



Court



Coram



Nature of Offence

24.12.2021



Allahabad Bench



Justices Manoj Misra & Sameer Jain

Chandan Singh v. State of Uttar Pradesh



Murder Simpliciter

17.12.2021



Allahabad Bench



Justices Manoj Misra & Sameer Jain

Nazil v. State of Uttar Pradesh



Murder involving Sexual Offences

HIGH COURT REMITTED CASES IN 2021

02

No. of persons

02

No. of cases



Court



Coram



Nature of Offence

KARNATAKA

No. of Persons



No. of Cases



03.09.2021



Bangalore Bench



Justices G. Narendar & M.I. Arun

Venkateshappa v. State of Karnataka



Child Rape without Murder

MADHYA PRADESH

No. of Persons



No. of Cases



26.07.2021



Gwalior Bench



Justices G.S. Ahluwalia & Rajeev Kumar Shrivastava

State of Madhya Pradesh v. Nandu Nandkishor Gupta



Murder involving Sexual Offences

SUPREME COURT IN 2021³⁰

Criminal Appeal and Related Proceedings³¹

	2016	2017	2018 ³⁴
Supreme Court Confirmations ³²	1 (1)	7 (3)	3 (1)
Supreme Court Commutations	10 (8) ³³	0	11 (11)
Supreme Court Acquittals	1 (1)	0	0
Supreme Court Remitted Cases	0	0	0

³⁰ In the format of Prisoners (Cases).

³¹ Includes Criminal Appeals, Review Petitions or Curative Petitions connected to the original Criminal Appeal.

³² Includes multiple proceedings of the same case and set of prisoners across the five years, that is, the four prisoners who were ultimately executed in 2020. It includes one Criminal Appeal, involving four prisoners in 2017; one Review Petition, involving three prisoners in 2018; one Review Petition involving one prisoner in 2019, one common Curative Petition involving two prisoners, and two separate Curative Petitions involving the two other prisoners in 2020, all of which were dismissed by the Supreme Court. For this matter, the data counts each proceeding as a separate case.

³³ In two cases, involving two prisoners, the Supreme Court acquitted the prisoners of the charge carrying the death penalty, which therefore resulted in a reduced sentence for the prisoner.

³⁴ One prisoner in one case died before his case was heard by the Supreme Court.

2019	2020	2021	
6 (6) ³⁵	6 (4)	0	Supreme Court Confirmations ³²
16 (16)	4 (3)	5 (4)	Supreme Court Commutations
11 (3) ³⁶	0	4 (2)	Supreme Court Acquittals
2 (2)	0	0	Supreme Court Remitted Cases

³⁵ Includes one case, involving one prisoner, where the criminal appeal and review petition were dismissed in the same year.

³⁶ In one case involving six prisoners, five were acquitted and one was found to be a juvenile.

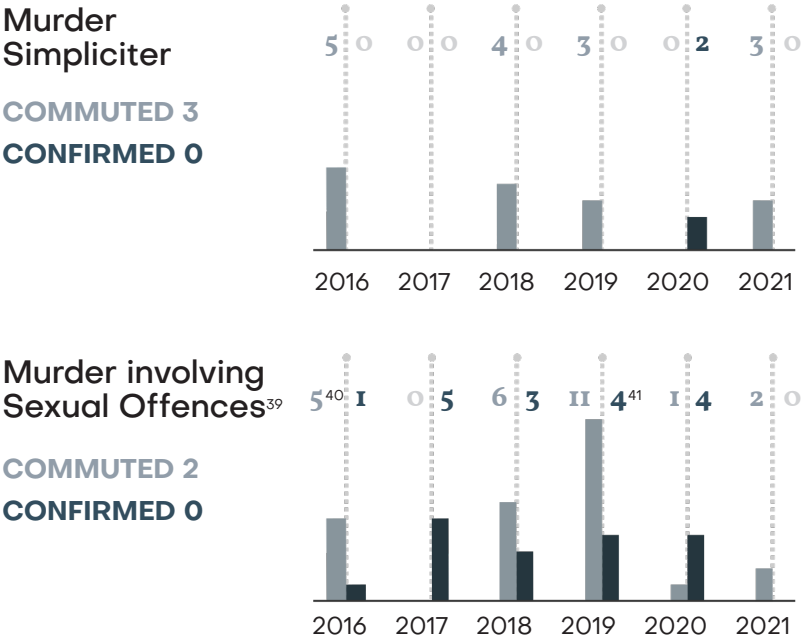
NATURE OF OFFENCES IN THE SUPREME COURT IN 2021

05

00

Commutations | Confirmations

Nature of Offences in Confirmations and Commutations by the Supreme Court in Criminal Appeal and Related Proceedings in 2021^{37 38}



³⁷ Data is presented in terms of prisoners. The data counts each prisoner in each proceeding as well as the same prisoner across multiple proceedings separately.

³⁸ Including Criminal Appeals, Review Petitions or Curative Petitions connected to the original Criminal Appeal.

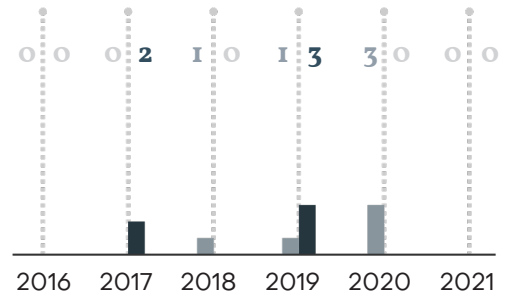
³⁹ Includes multiple proceedings of the same case and set of prisoners across the five years, that is, the four prisoners who were ultimately executed in 2020. It includes one Criminal Appeal, involving four prisoners in 2017; one Review Petition, involving three prisoners in 2018; one Review Petition involving one prisoner in 2019 and four Curative Petitions involving four prisoners in 2020, all of which were dismissed by the Supreme Court.

⁴⁰ This data excludes two cases, involving two prisoners in which the Supreme Court acquitted the prisoners of the charge carrying the death penalty, which resulted in a reduced sentence for the prisoners

⁴¹ This data includes one case, involving one prisoner, where the criminal appeal and review petition were dismissed in 2019.

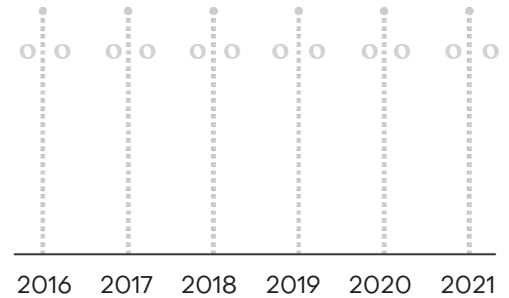
Kidnapping with Murder

COMMUTED 0
CONFIRMED 0



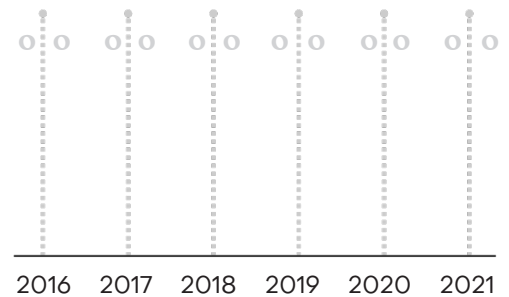
Drug Offences

COMMUTED 0
CONFIRMED 0



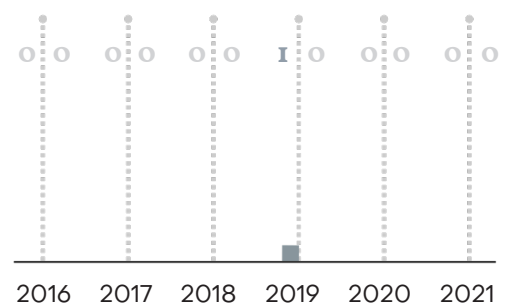
Child Rape without Murder

COMMUTED 0
CONFIRMED 0



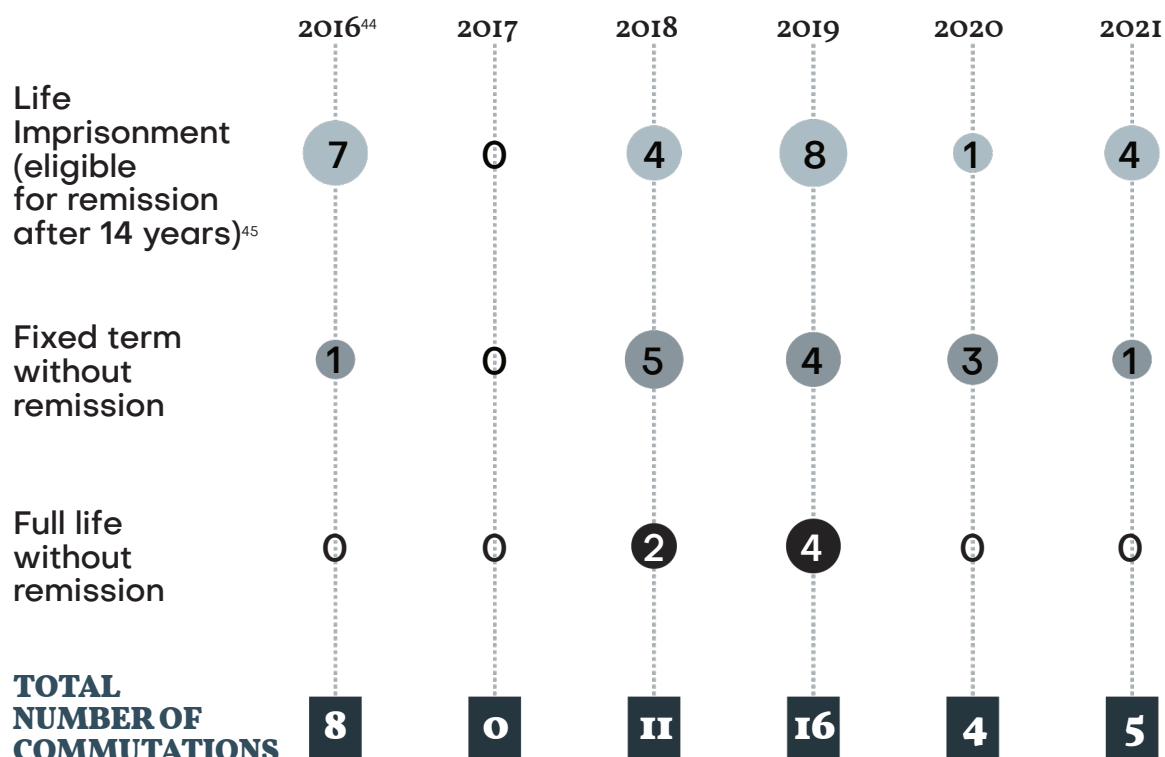
Dacoity with Murder

COMMUTED 0
CONFIRMED 0



SUPREME COURT SENTENCES IMPOSED ON COMMUTATION OF DEATH SENTENCE⁴²

Criminal Appeal and Related Proceedings⁴³



⁴² Indicating number of prisoners.

⁴³ Including Criminal Appeals, Review Petitions or Curative Petitions connected to the original Criminal Appeal.

⁴⁴ This data excludes two cases, involving two prisoners in which the Supreme Court acquitted the prisoners of the charge carrying the death penalty, which resulted in a reduced sentence for the prisoners

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)'.

SUPREME COURT ACQUITTALS IN 2021

04

No. of persons

02

No. of cases

Criminal Appeal and Related Proceedings⁴⁶



Coram



Nature of Offence

UTTAR PRADESH

No. of persons



No. of cases



05.01.2021



Justices U. U. Lalit, Indu Malhotra & Krishna Murari

Hari Om @ Hero v. State of Uttar Pradesh
Criminal Appeal No. 3 of 2021



Dacoity with Murder

15.12.2021



Justices L. Nageswara Rao, B.R. Gavai & B.V. Nagarathna

Jaikam Khan v. State of Uttar Pradesh
Criminal Appeal Nos. 434-435 of 2020



Murder Simpliciter

⁴⁶ Including Criminal Appeals, Review Petitions or Curative Petitions connected to the original Criminal Appeal.

SUPREME COURT COMMUTATIONS IN 2021⁴⁷

05 | **04**
No. of persons | No. of cases

Criminal Appeal and Related Proceedings⁴⁸



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

CHHATTISGARH

No. of Persons



No. of Cases



14.12.2021



Justices L. Nageswara Rao, B.R. Gavai & B.V. Nagarathna

Lochan Shrivastava v. State of Chhattisgarh

Criminal Appeal Nos. 499-500 of 2018



Murder Simpliciter



Life imprisonment
(eligible for remission after 14 years)

JHARKHAND

No. of Persons



No. of Cases



26.11.2021



Justices L. Nageswara Rao, B.R. Gavai and B.V. Nagarathna

Mofil Khan and Anr. v. State of Jharkhand

Review Petition (Criminal) No. 641 of 2015



Murder Simpliciter



Life imprisonment
(eligible for remission after 14 years)

⁴⁷ 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)'.

⁴⁸ Including Criminal Appeals, Review Petitions or Curative Petitions connected to the original Criminal Appeal.



Coram



Nature of Offence



Sentence Imposed on Commutation of Death Sentence

KARNATAKA

No. of Persons



No. of Cases



08.11.2021



Justices L. Nageswara Rao, Sanjiv Khanna & B.R. Gavai

Irappa Siddappa Murgannavar v. State of Karnataka
Criminal Appeal Nos. 1473-1474 of 2017



Murder involving Sexual Offences



Fixed term without remission for 30 years

MADHYA PRADESH

No. of Persons



No. of Cases



09.12.2021



Justices L. Nageswara Rao, B.R. Gavai & B.V. Nagarathna

Bhagchandra v. State of Madhya Pradesh
Criminal Appeal Nos. 255-256 of 2018



Murder Simpliciter



Life imprisonment
(eligible for remission after 14 years)

ANALYSIS OF SUPREME COURT DECISIONS IN 2021

In 2021, the Supreme Court decided six death penalty matters involving nine prisoners. Four prisoners were acquitted across two cases; one prisoner in a case of dacoity and murder, and three prisoners in a case of murder simpliciter. The death sentences of five prisoners were commuted in four cases – two prisoners in two cases of murder involving sexual offences, and three prisoners in two cases of murder simpliciter.

In a unique and important shift, in four pending cases involving nine prisoners,⁴⁹ the Supreme Court directed the State to provide evidence of relevant mitigating circumstances. The Bench comprising Justices U.U. Lalit, S. Ravindra Bhat and Bela M. Trivedi directed the State to file various reports including the Probation Officer's Report, the Jail Authorities' Report, and a psychiatric evaluation of the prisoners involved in these four pending cases before the issue of sentence could be considered.

⁴⁹ Manoj & Ors. v. State of Madhya Pradesh, Criminal Appeal Nos. 248–250/2015 (Supreme Court), order dt. 29.09.2021; Mohd. Firoz v. State of Madhya Pradesh, Criminal Appeal No. 612/2019 (Supreme Court), order dt. 25.11.2021; Rahul v. State of Delhi Ministry of Home Affairs & Anr., SLP (Crl.) No. 2264/2015 (Supreme Court), order dt. 25.11.2021; Irfan @ Bhayu Mevati v. State of Madhya Pradesh, SLP (Crl.) Nos. 9692–9693/2021 (Supreme Court), order dt. 15.11.2021.

COMMUTATIONS

08.11.2021

Karnataka



Criminal Appeal Nos.
1473-1474 of 2021



Justices L. Nageswara
Rao, Sanjiv Khanna and
B.R. Gavai

Irappa Siddappa Murgannavar v. State of Karnataka

Case History

Irappa was convicted for the kidnapping, rape and murder of a five year old girl and sentenced to death by the trial court under Section 302 of the Indian Penal Code, 1860 ('IPC') on 08.03.2012. The conviction and sentence were confirmed by the High Court on 06.03.2017. The High Court judgment was appealed before the Supreme Court.

Supreme Court (Criminal Appeal)

The Supreme Court commuted the death sentence of the appellant to life imprisonment. Noting the small proportion of confirmations of death sentences in cases involving rape and murder of minors, the Court concluded that the young age of the victim was not the only factor for a case to be considered 'rarest of rare'.

The Court held that the High Court had erred in its finding that there were no mitigating circumstances in favour of the appellant. The Court noted a range of mitigating circumstances including young age, poor socio-economic background, lack of criminal antecedents, lack of premeditation, satisfactory jail conduct, and long period of incarceration (10 years and 10 months). The appellant was also found to be capable of reformation.

The Court commuted the death sentence and, in light of the 'gruesome' nature of the offence, sentenced the appellant to life imprisonment for a fixed term of 30 years without the possibility of remission.

26.11.2021

Jharkhand



Review Petition (Criminal)
No. 641 of 2015



Justices L. Nageswara
Rao, B.R. Gavai and B.V.
Nagarathna

Mofil Khan and Mobarak Khan v. State of Jharkhand

Case History

The petitioners, Mofil Khan and Mobarak Khan, were convicted along with two others for the murder of eight members of their family over a property dispute. They were both sentenced to death under Section 302 of IPC by the trial court on 01.08.2008. The conviction and the death sentences of the petitioners were upheld by the High Court on 02.07.2009. The Supreme Court, in criminal appeal, upheld the same on 09.10.2014. Their mercy petitions were rejected by the President on 06.03.2016. The petitioners filed for a review of the Supreme Court decision.

Supreme Court (Review)

The Supreme Court commuted the death sentence of the accused to life imprisonment while reviewing its own decision from October 2014 upholding the death sentence. The Court observed that the trial court, the High Court and the Supreme Court in the criminal appeal, had relied on the brutality of the crime, failing to consider the probability of reformation and rehabilitation. The Court emphasised that an effective sentencing hearing required the State to present evidence that establishes that there is no probability of reformation and rehabilitation of the accused, and the Court to elicit relevant factors bearing on the question of reformation.

The Supreme Court relied on various mitigating circumstances to hold that the petitioners were capable of reformation. These mitigating circumstances included the socio-economic background of the petitioners, the absence of any criminal antecedents, affidavits filed by their family and community members with whom they continued to share emotional ties, and the certificate issued by the Jail Superintendent regarding their conduct during their 14 years of incarceration.

In light of the 'gruesome' nature of the offence, the Court imposed life imprisonment for a fixed term of 30 years.

09.12.2021

Madhya Pradesh



Criminal Appeal Nos.
255–256 of 2018



Justices L. Nageswara
Rao, B.R. Gavai and B.V.
Nagarathna

Bhagchandra v. State of Madhya Pradesh

Case History

Bhagchandra was convicted and sentenced to death under Section 302 of IPC for killing two of his brothers and his nephew, by the trial court on 04.04.2017. The conviction and sentence were confirmed by the High Court on 19.12.2017. The High Court judgment was appealed before the Supreme Court.

Supreme Court (Criminal Appeal)

The Supreme Court commuted the death sentence to life imprisonment. The Court held that a meaningful hearing on sentence was not conducted, as the trial court had convicted the appellant and imposed the death penalty on the same day. The Court also held that the trial court had erred in considering only circumstances related to the crime and not those related to the criminal, such as his state of mind and socio-economic background.

The Court emphasised the duty to take into consideration the probability of the accused being reformed and rehabilitated. It observed that the prosecution had not placed any evidence on record to show the lack of probability of reformation. In consideration of the mitigation affidavits filed by the appellant's son and brother, the appellant's rural and poor background, lack of criminal antecedents, and satisfactory conduct in prison, the Court opined that the probability of reformation and the alternative of life imprisonment were not foreclosed.

However, considering the 'gruesome' nature of the murders, a sentence of life imprisonment for a fixed term of 30 years was imposed upon the appellant.

14.12.2021

Chhattisgarh



Criminal Appeal Nos.
499-500 of 2018



Justices L. Nageswara
Rao, B.R. Gavai and B.V.
Nagarathna

Lochan Shrivastava v. State of Chhattisgarh

Case History

Lochan Shrivastava was convicted for the rape and murder of a 3 year old girl by a Fast Track Court and sentenced to death under Section 302 of IPC on 17.06.2016. The conviction and sentence was confirmed by the High Court on 17.11.2017. The High Court judgment was appealed before the Supreme Court.

Supreme Court (Criminal Appeal)

The Supreme Court noted that the trial court had decided on conviction and sentence on the same day, and had failed to consider circumstances related to the criminal, such as his state of mind, his socio-economic background etc.

The Court reiterated that it was bound to take into consideration the probability of the accused being reformed and rehabilitated. It noted that the prosecution had not placed any evidence on record to demonstrate that the appellant was beyond reformation. The Court considered the affidavits of the appellant's siblings which indicated his poor background, his hardworking and studious nature, and his dedication towards bettering his family's circumstances. Additionally, the appellant's satisfactory conduct in prison, lack of criminal antecedents and young age were taken into account to conclude that the probability of reformation and the alternative of life imprisonment were not foreclosed.

Consequently, the death sentence imposed upon the appellant was commuted to life imprisonment, eligible for remission after 14 years.

ACQUITTALS

05.01.2021

Uttar Pradesh



Criminal Appeal Nos. 3-4 of 2021



Justices U.U. Lalit, Indu Malhotra, and Krishna Murari

Hari Om @ Hero v. State of Uttar Pradesh

Case History

Six accused, including the appellant, were tried for dacoity and murder of a widow and her three children. On 06.07.2015, the trial court convicted all accused under Section 396 of IPC and sentenced the appellant to death on 13.07.2015, while the other accused were sentenced to life imprisonment. The Allahabad High Court, on 03.03.2017, confirmed the appellant's conviction and death sentence, while acquitting three co-accused in the case. The appellant and the two co-accused, whose sentences of life imprisonment had been upheld by the High Court, appealed against the High Court's decision before the Supreme Court.

Supreme Court (Criminal Appeal)

The Court acquitted all three accused in the criminal appeal in light of limitations in the evidence against them.

The Court found the evidence of the child eyewitness against the appellant unreliable due to various inconsistencies that raised doubts about whether the child had witnessed the incident. In addition, the fingerprints lifted from the house of the deceased did not match with that of the appellant. There were further inconsistencies in the evidence of a prosecution witness about the presence of the appellant in the neighbourhood.

The Court also acquitted the two co-accused due to the absence of substantive evidence linking them to the crime, other than fingerprint evidence, which alone was not sufficient to maintain their conviction.

15.12.2021

Uttar Pradesh



Criminal Appeal Nos.
434-435 of 2020



Justices L. Nageswara
Rao, B.R. Gavai and B.V.
Nagarathna

Jaikam Khan v. State of Uttar Pradesh

Case History

Jaikam Khan, Nazra, Sajid, and Momin Khan were convicted by the trial court under Section 302 of IPC for killing six members of their family on 02.01.2016. The trial court sentenced them to death on 11.01.2016. The High Court, on 18.05.2018, confirmed the conviction and sentence imposed on Jaikan, Sajid and Momin, while acquitting Nazra. The High Court judgment was appealed before the Supreme Court by the three appellants.

Supreme Court (Criminal Appeal)

The Supreme Court acquitted all three appellants, finding that the prosecution had failed to prove the guilt of the accused beyond reasonable doubt. The Court scrutinised the evidence of the two eyewitnesses and found their version of events unlikely and the corroboration of testimonies lacking. In addition, the circumstances of the arrest of the appellants were found to be questionable and the recovery of weapons unreliable as evidence. The recovery of clothes worn by the appellants during the crime was not considered against them as the same was not in accordance with the rules of evidence. Finally, it was held that the prosecution had failed to prove a motive for the crime.

LEGISLATIVE DEVELOPMENTS

Amendment to the Punjab Excise Act, 1914

On April 1, 2021, the State of Punjab notified the Punjab Excise (Amendment) Act, 2021 inserting Section 61A to the Punjab Excise Act, 1914 and introducing the death penalty as the maximum punishment for deaths caused due to dealing in spurious liquor.

Introduction of the Draft Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021

In July 2021, the Union Ministry of Women and Child Development proposed the Draft Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021. The Bill introduces the death penalty for repeat aggravated trafficking offences against children below 12 years, trafficking of women for the purpose of repeated rape and for trafficking offences by organised crime syndicates or groups, that result in the death of the victim. The Bill is currently pending consideration before Parliament.

Amendment to the Madhya Pradesh Excise Act, 1915

On August 10, 2021, the Madhya Pradesh Legislative Assembly passed an amendment to Section 49A of the Madhya Pradesh Excise Act, 1915, introducing the death penalty as the maximum punishment for deaths caused due to dealing in spurious liquor.

Passage of the Shakti Criminal Laws (Maharashtra Amendment) Bill, 2020

On December 23, 2021, the Maharashtra Legislative Assembly unanimously passed the Shakti Criminal Laws (Maharashtra Amendment) Act, which amends the Indian Penal Code (IPC) and Protection of Children from Sexual Offences Act, 2012 ('POCSO') to introduce the death penalty for 'heinous' offences of rape and gangrape. In addition, the Act amends the Code of Criminal

Legislative Developments

Procedure ('CrPC') to mandate completion of trials within thirty working days from filing of the chargesheet. These state amendments to the IPC, CrPC and POCSO require the approval of the President of India under Article 254(2) to come into force.

INTERNATIONAL DEVELOPMENTS

Kazakhstan Abolished the Death Penalty

On January 2, 2021, President Kassym-Jomart Tokayev signed a bill ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights that requires all signatories to abolish capital punishment. The bill abolishing the death penalty for all crimes in Kazakhstan was passed by the Parliament on December 29, 2020.

Sierra Leone Abolished the Death Penalty

The Parliament of Sierra Leone, by a unanimous resolution, on July 23, 2021, abolished the death penalty, becoming one of the 22 countries in Africa and 109 countries in the world to have done so. The unanimous resolution replaced the death sentence for murder, treason, mutiny, and robbery with aggression; with sentences ranging from 30 years to a life sentence in prison.

The Malawi Supreme Court Reversed Its Decision on the Unconstitutionality of the Death Penalty

On April 20, 2021, the Supreme Court of Appeal of Malawi in *Khoviwa v. The Republic* had declared the death penalty unconstitutional for contravening the right to life under the Constitution of Malawi. However, on August 18, 2021, seven of the nine judges who were part of the original bench in *Khoviwa's* case issued a judgment reversing the preceding decision, stating that the question of constitutionality was not before the court in the said case and that the original opinion reflected the views of a single judge and not that of the full court.

India Voted Against UN Resolution on the Question of Death Penalty

The United Nations Human Rights Council called upon States to

consider acceding to or ratifying the Second Optional Protocol to the International Covenant on Civil and Political Right for the abolition of the death penalty. The Resolution on the Question of the Death Penalty dated October 8, 2021 was adopted by a vote of 29 in favour, 12 against, and five abstentions, with India amongst those who voted against. The other member states who voted against the resolution were the Bahamas, Bahrain, Bangladesh, Cameroon, China, Japan, Libya, Mauritania, Pakistan, Somalia and Sudan.

FINAL OBSERVATIONS

2021 saw the largest death row population at the end of the year since we first began compiling this data in 2016. The National Crime Records Bureau's data reveals that this is the highest that the death row population has been since 2004. This appears to be a direct result of the comparatively high number of death sentences imposed by trial courts in 2021, and limited number of decisions by appellate courts.

At the same time, the latter half of 2021 saw an increased prioritisation of death sentence criminal appeals by the Supreme Court. On September 1, 2021, with the commencement of hybrid hearings due to the COVID-19 pandemic, the Court notified that it would be listing 40 death penalty matters on priority.⁵⁰ Of these, 3 three-judge benches heard arguments in 14 cases between September and December 2021.⁵¹ Judgements were delivered in five of these cases by the end of December 2021.⁵² The one other case decided in 2021 was by the bench comprising Justices U.U. Lalit, Indu Malhotra, and Krishna Murari in January 2021.

2021 was also the first time in six years that the Supreme Court did not uphold a single death sentence, a result of significant changes in the approach of the Supreme Court to death penalty cases. While commuting death sentences in 2021, the Supreme Court showed an increasing repudiation of failures by courts below to comply with the sentencing procedures and guidelines developed by the Supreme Court over the years.

In two judgments, the bench comprising Justices L. Nageswara Rao, B.R. Gavai and B.V. Nagarathna took exception to the lower courts' inordinate focus on the factors relating to the crime, with little to no

⁵⁰ Additional Registrar (OSD) (Listing), Notice dt. 01.09.2021 <https://main.sci.gov.in/pdf/ListingNotice/01092021_111640.pdf> last visited on December 21, 2021.

⁵¹ The Benches sat in Court No. 2, Court No. 3, and Court No. 5. The Bench in Court No. 2 comprised Justices U.U. Lalit, Ravindra Bhat, and Bela Trivedi. The Bench in Court No. 3 comprised Justices A.M. Khanwilkar, Dinesh Maheshwari and C.T. Ravikumar. Court No. 5 seated two different Benches at different points; Justices L. Nageswara Rao, B.R. Gavai, and B.V. Nagarathna formed one Bench, and Justices L. Nageswara Rao, Sanjeev Khanna, and B.R. Gavai formed the other.

⁵² All five judgments were delivered by the benches sitting in Court sitting in Court No. 5.

consideration of the circumstances of the prisoner.⁵³ The bench highlighted the onus on the State to present evidence that establishes the improbability of reformation, before the death penalty may be imposed.⁵⁴ The bench also acknowledged and cited affidavits of the prisoners' family and community members, in addition to relying on jail conduct reports to establish the probability of reform.⁵⁵

Another bench of the Supreme Court, comprising Justices U.U. Lalit, S. Ravindra Bhat and Bela M. Trivedi, seems to have adopted a different approach to death penalty sentencing. On the conclusion of arguments on conviction in two cases, the bench called for reports from Probation Officers, prison authorities and mental health experts before considering the issue of sentence.⁵⁶ In one other case involving three prisoners, the same direction was issued while arguments on conviction were ongoing.⁵⁷ In a fourth case involving two prisoners, the same directions were issued at the time of admitting the Special Leave Petition for appeal.⁵⁸ The judgments in these cases are yet to be delivered.

Collectively, these changes reveal an important shift in the approach of the Supreme Court to the death penalty. It represents a prioritisation of death penalty matters and an increasing focus on the non-compliance of established procedures before this extraordinary punishment can be imposed. It draws attention once again to the complete breakdown of the death penalty sentencing framework in India.

⁵³ *Lochan Shrivastava v. State of Chhattisgarh*, Criminal Appeal Nos. 499–500 of 2018, paras 49–52; *Bhagchandra v. State of Madhya Pradesh*, Criminal Appeal Nos. 255–256 of 2018, paras 43–44.

⁵⁴ *Mofil Khan & Mobarak Khan v. State of Jharkhand*, Review Petition (Criminal) No. 641 of 2015, paras 8–10; *Lochan Shrivastava v. State of Chhattisgarh*, Criminal Appeal Nos. 499–500 of 2018, paras 49–52; *Bhagchandra v. State of Madhya Pradesh*, paras 42–44.

⁵⁵ *Mofil Khan & Mobarak Khan v. State of Jharkhand*, Review Petition (Criminal) No. 641 of 2015, para 10; *Bhagchandra v. State of Madhya Pradesh*, para 44; *Lochan Shrivastava v. State of Chhattisgarh*, Criminal Appeal Nos. 499–500 of 2018, para 52.

⁵⁶ *Manoj & Ors. v. State of Madhya Pradesh*, Criminal Appeal Nos. 248–250/2015 (Supreme Court), order dt. 29.09.2021; *Mohd. Firoz v. State of Madhya Pradesh*, Criminal Appeal No. 612/2019 (Supreme Court), order dt. 25.11.2021.

⁵⁷ *Rahul v. State of Delhi* Ministry of Home Affairs & Anr., SLP (Crl.) No. 2264/2015 (Supreme Court), order dt. 25.11.2021.

⁵⁸ *Irfan @ Bhayu Mevati v. State of Madhya Pradesh*, SLP (Crl.) Nos. 9692–9693/2021 (Supreme Court), order dt. 15.11.2021.

CORRECTIONS TO ANNUAL STATISTICS

- Sentences imposed on commutation by High Courts and the Supreme Court that do not explicitly exclude remission or the power of the state government to release the prisoner have been recategorised as life imprisonment (eligible for remission after 14 years), i.e. simple life imprisonment.
- Due to revisions made in the methodology of computing cases, co-accused connected to the same offence but tried separately are now treated as part of the same case. As a result, the death sentences decided by High Courts in nine cases involving 13 prisoners have been reclassified as five cases involving 13 prisoners.
- The death sentences imposed by Sessions Courts on six prisoners in five cases erroneously classified as 'Murder involving Sexual Offences' (2016), 'Murder Simpliciter' (2016), 'Kidnapping with Murder' (2017) and 'Murder involving Sexual Offences' (2020) have now been reclassified as one case of 'Child Rape without Murder', two cases of 'Murder involving Sexual Offences' and one case of 'Murder Simpliciter' and one case of 'Kidnapping with Murder' respectively.
- Due to subsequently gaining access to court records, the death sentences imposed by the Sessions Court in 2016 on three prisoners across three cases of 'Dacoity with Murder' have been reclassified as 'Murder Simpliciter' and the death sentence confirmed by the High Court in 2019 of one prisoner for 'Terror Offences' has been reclassified as 'Murder Simpliciter'.
- One prisoner involved in two cases at the Sessions Court (2018) and High Court (2019) was erroneously counted twice in previous reports, which has since been corrected.
- Two additional cases involving two prisoners sentenced to death by Sessions Courts in 2019 and 2020 respectively were located in 2021 and have been included in this report.



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