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Judiciary chronology in capital punishment: A descriptive analysis in the context of Odisha

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Abstract

The death penalty, also known as the capital punishment, intentionally executes an individual in response to actual or alleged misconduct in accordance with an approved and regulated process for determining that the individual is responsible for a violation of the norm. It is an institutionalized punishment that includes execution. Disciplinary executions have traditionally been carried out by different powers against different crimes, without applying political or religious beliefs or activities, unmanageable status, and meaningful guarantees of due process. It has been done. Execution as a form of punishment has been carried out by mobs, gangsters, or terrorist organizations. However, the debate over the death penalty as an institutionalized statutory practice of modern government of the present time is going on. Here in the study an attempt has been made to focus the judiciary chronology of capital punishment in Odisha.

Keywords: Capital punishment, death penalty, legal systems.

Introduction

The death penalty was first used in the 18th century BC. It was published in the law of King Hammurabi of Babylon and applied to 25 different crimes. The Draconia Code of Athens, which provides for the death penalty for all crimes, also included an explanation of the death penalty. The conviction was sentenced to death by burning, drowning, beating, skewering, and other execution methods. In the UK, hanging has been the preferred execution method since the 10th century AD. Without war, people could not be hanged during the reign of William the Conqueror in the next century. Over time, even Britain began avoiding the use of the death penalty. There are fewer homicides in countries that do not have the death penalty compared to those that do. The death penalty is an inhumane, brutal and highly degrading punishment, and there is growing belief that it is accepted around the world. The whole is dangerous and does not endeavor to support violence, ensure public safety or prevent violent crimes. The death penalty has been abolished in all major cultures, beliefs and regions. According to UN statistics, it is not used or banned in more than 150 countries. Capital punishment in India is a legal penalty for some crimes under the country's main substantive penal legislation, the Indian Penal Code, as well as other laws. Executions are carried out by hanging. Currently, there are around 488[1] prisoners on death row in India. The most recent executions in India took place in March 2020, when the four 2012 Delhi gang rape and murder perpetrators were executed at the Tihar Jail in Delhi. The first challenge to the capital punishment in India came during the 1973 case of *Jagmohan Singh v. State of U.P.*, October 1972.^[60] The judgment came before the CrPC was re-enacted in 1973, whereby the death sentence constituted an exceptional sentence. [It was argued that the death penalty violates to the right to life and equality and guaranteed by the Indian Constitution. [62] Moreover, the uncontrolled and unguided arbitrary discretion in the judges to impose capital punishment violates Article 14 of the Indian Constitution and the petitioners contended that the procedure for consideration of circumstances in order to pronounce finding and reasoning to make judicial decision between capital punishment and life imprisonment is not available under CrPC, 1898, therefore it violated Article 21 of the Indian Constitution. [63][64] However, the Supreme Court of India refused to accept the

argument and held that the death sentence is pronounced after detailed recording and evaluation of the aggravating and mitigating circumstances, thus such procedure justifies the imposition of capital punishment and does not violate Article 21 of the Indian Constitution. However, in several cases of rape and murder in the state like Odisha, the Judges of different districts have awarded death penalties during these years. But, such punishments were yet to be executed due to different reasons. Though there is a provision for capital punishment under the POCSO Act and IPC for sexual offences against children, not a single criminal was hanged to death in Odisha during last 25 years. The last capital punishment was executed in the State in 1994. Laxman Nayak of Mayurbhanj district who killed his nine-year-old niece in drunken state after committing rape was found guilty by the Mayurbhanj Sessions Court which was upheld in higher court. As there was no hangman available in the State, a person from Maharashtra was hired for the purpose. And hanging was executed inside the Brahmapur Jail. There was also provision of gallows in Bolangir Jail. Ujjwal Sai, brother of legendary fighter Veer Surendra Sai, was hanged in Bolangir Jail. Now-a-days, only gallows are available in Brahmapur Jail and authorities are also maintaining the same though there is no hangman available in the State. In view of rising graph of crime against girl child, the Union Government has brought Prevention of Children from Sexual Offences (POCSO) Act with rigorous punishment provisions including capital punishment. There is also provision for hanging in IPC for certain crimes like murder. Though thousands of rape and murder cases were reported during last 25 years, no one was hanged to death in Odisha after 1994.

Criminal Justice System

The criminal justice system, including trials, prisons, and judgments, aims to turn law-breakers into law-abiding citizens in a variety of ways, in accordance with the philosophy of retaliation. The concept was blamed for allowing the collapse of social law and order so that he could reintegrate into society without threatening it, because crimes are not punished and victims do not receive justice. There is a possibility that the criminal justice system monitors the maintenance of social peace. The concept of deterrence is aimed at preventing crime. The punishment imposed on a criminal serves to warn him and others not to continue the crime or fear the same punishment.

Constitutionality of capital punishment in India

There are many provisions in Indian criminal law that allow judges to sentence prisoners to death instead of life imprisonment. Abolitionists usually oppose laws that provide for both life imprisonment and the death penalty for crimes. It has been challenged because treating two prisoners who committed the same crime differently by making different judgments violates Article 14 of the Constitution. In addition, some argue that it violates Section 245 because it gives the judiciary an excessive and disproportionate level of legislative power. The main argument is that the legislature has not established a standard by which the court can distinguish between the two sentences, nor has it established a rule for the court to classify them. The law left open punishment options. In some cases, the court sentenced the criminal to death, but in

other cases, if the criminal committed the same crime, the court sentenced him to life imprisonment. It shows that the decision to sentence him to life imprisonment or the death penalty was arbitrary. In addition, the judge must make a fair decision by his duties. Therefore, he must not impose a penalty arbitrarily. In addition, according to Section 235 (2) of the Code of Criminal Procedure, convicted persons may challenge their judgment at subsequent hearings. This protects the defendant from arbitrary actions that may be used to determine a conviction. The Indian Criminal Code further provides in Section 354 (3) that the court must offer exceptional justification when imposing the death penalty.

Research methodology

The doctrinal type of pattern is the basis of this study. Traditional research is another name for educational research. Analytical and descriptive methods are two different categories of education and research. This study is based on previously available material that has evolved as a result of analyzing that data. Secondary data is used in this study. In this study, researchers mainly used books, articles, magazines, and so on.

Literature Review

Since 1994, 66 criminals have been sentenced to death in the state, but only 11 prisoners were sentenced to death in Orissa at the end of 2021. The trend is engraved on the wall in capital letters. Since 2018, Odisha Session Courts has increased the number of state inmates sentenced to death. The state has sentenced up to 23 people to death in the last three years (2018, 2019, 2021), according to data from the Delhi National Law University study, The Death Penalty in India: Annual Statistics Report 2021. In 2020, the courts were closed due to the prolonged blockade, and few trials were held. And in Orissa, the death penalty was mainly used for murder (including witchcraft) and sex crimes.

Looking at the Statistics of the State Crimes Record Office (NCRB) from 1998 to 2021, the trend of "total" is clear. The state was not sentenced to death from 1998 to 2000. The state court passed a total of five death sentences between 2001 and 2003. Between 2004 and 2006, 12 people were sentenced to death in the state. Over the next three years from 2007 to 2009, a total of 14 death sentences were imposed, all of which were imposed in 2007 alone. Similarly, in the three years 2010-2012, state courts passed only two death sentences. From 2013 to 2015, the state was not sentenced to death. Executions in 2016 or 2017 are not documented. The courts are closed for most of the year) and eight in 2021. According to the above data, Odisha had the highest number of executions in 2007. For the next two years, in 2018 and 2021, he was ranked second with nine executions each. However, statistics show that 2004 was the most executed execution in the country.

According to the Indian Death Penalty publication, there are currently 11 convict on death row in Orissa. Of these, nine were sentenced to death in Rayagada for killing three on charges of witchcraft. The proceedings were filed in 2016. In 2019, the court of first instance sentenced him to death. The injunction was upheld by a district judge in October 2021.

In Orissa, convictions for murder were sentenced to death in 2018 and 2021. According to the POCSO Act, sex crimes were the highest penalties in 2019. The national trends described in the survey show an increase in the

number of death sentences for sex crimes nationwide, despite the lack of accurate statistics on the number of death sentences for homicide and sex crimes (since 2016). More than 54% in 2017). 2021).

Objective of the study

Poor marginalized people are mistakenly sentenced to death. Those without the death penalty will be punished. Poor prisoners with legal assistance benefit most, but prisoners with private lawyers do not. It is difficult to apply the death penalty fairly or logically. The Supreme Court has consistently confirmed that this strictest judgment was erroneously imposed. 5.2 people died for every 10,000 rupees murder. The presidents who supported the abolition (S. Rada Krishnan and A.P. J. Abdulkalam) did not refuse the request for amnesty, but other presidents with different ideologies were more aggressive. Therefore, this study aims to focus on the legal chronology of the death penalty in the context of Orissa.

Significance of the study

There is an importance of capital punishment across regions to maintain the law and order and to prevent the severe crimes. In today’s world as there are arguments regarding the execution of capital punishment on the humanitarian ground so there is an importance of an analytical study on this ground. As there are no sufficient research works has been carried out in this context so this study is done to analyse the situation in the context of Odisha **There** are some sort of offences compel this type of punishment to curb the crime. These are like

- ✓ Aggravated Murder
- ✓ Other Offences Resulting in Death
- ✓ Terrorism-Related offences not resulting in death
- ✓ Rape not resulting in death
- ✓ Kidnapping not resulting in death
- ✓ Drug trafficking not resulting in death
- ✓ Treason
- ✓ Military offences not resulting in death

Execution Of Capital Punishments

According to the State Department, there have been no executions in Orissa since 1994, but death sentences have increased in recent years, especially in sex crime cases. Since 1994, 66 criminals have been sentenced to death in the state, but only 11 prisoners were sentenced to death in

Orissa at the end of 2021. According to statistics, the Orissa High Court's appellate department has almost always sentenced him to death. This represents the Court of Appeals' position on the death sentence issued by the state's incumbent court.

Commutation Capital Sentences By HC (Odisha)

The death sentence sentenced by a Keonjhar Sessions judge for sex crimes in 2019 in violation of POCSO law was issued by the Orissa High Court last year. Despite the fact that the defendant raped and killed a 3-year-old girl, HC ruled because of the lack of a DNA sample test. These shortcomings in the case of the prosecutor's show.

No criminal has been hanged in Orissa for the past 25 years, despite the fact that sexual offenses against children are sentenced to death under POCSO law and IPC. The last execution in the state was in 1994. The conviction of Luxman Nayak in the Mayurbangi district, who was drunk and raped a nine-year-old niece, was upheld by the High Court. Since there were no executioners in the state, a Maharashtra gentleman was hired for the job. And Brahmapur's prison was a hanging place. Borangil Prison also had gallows. Veer Surendra Sai's brother Ujjwal Sai was hanged in Bolangir Prison. There are no executioners in the state, but currently only gallows are available in Brahmapur prison, and authorities keep them. The Child Sexual Abuse Prevention Act (POCSO) was introduced by the federal government in response to rising crime rates against girls. It contains strict sentencing guidelines, including the death penalty. The IPC also includes provisions for hanging on certain crimes such as murder. Despite thousands of rapes and murders recorded in the last 25 years, Odisha has had no executioners since 1994. Of course, judges in various counties have sentenced them to death in many rapes and murders over the years. However, these sanctions have not yet been enforced for a variety of reasons. There have been calls from several forums to hang rape criminals after violent crimes in New Delhi and Telangana. However, according to the government, the percentage of convictions in Orissa for serious crimes such as rape is very low, only about 18%. According to the latest data from the National Crime Record Bureau (NCRB), Odisha's conviction rate for crimes against women is only 7.4%, compared to 9.8% for crimes against children and 9.3% for crimes based on IPC

Capital punishment in Odisha.

Dhanamath Guru alias Badis	18 August 1958	47	Berhampore Circle Jail	Orissa
Arjunen alias Polka Damb	29 June 1963	22	Berhampore Circle Jail	Orissa
Madkami Mala	18 May 1968	37	Berhampore Circle Jail	Orissa
Raghab Naik	3 August 1971	43	Berhampore Circle Jail	Orissa
Laxman Naik	16 July 1994	36	Berhampore Circle Jail	Orissa

- National Crime records bureau.

Capital punishment in India.

1	Rasha alias Raghuraj Singh	9 September 1947	27	Jabalpur Central Jail	Central Provinces and Berar	Murder
2	Mahantappa Gangappa	30 December	30	Belgaum Central Jail	Bombay State	

		1947					
3	Singavarapu Mahalakshmu	3 April 1948	32		Rajahmundry Central Prison	Madras Presidency	
4	Bhavana Venkadu	13 April 1948	40		Rajahmundry Central Prison	Madras Presidency	
5	Kancharagunta Subbaiah	24 April 1948	28		Rajahmundry Central Prison	Madras Presidency	
6	Kalidindi Venkata Narasimha Raju	17 May 1948	24		Rajahmundry Central Prison	Madras Presidency	
7	Basappa Gundappa Hadignal	31 July 1948	35		Belgaum Central Jail	Bombay State	
8	Uppara Bala Obigan Subanna	13 July 1949	60		Rajahmundry Central Prison	Madras Presidency	
9	Chenchu China Rami Reddy	13 July 1949	35		Rajahmundry Central Prison	Madras Presidency	
10	Chenchu Peda Rami Reddy	13 July 1949	48		Rajahmundry Central Prison	Madras Presidency	
11	Jamula Lakshmi Reddy	13 July 1949	33		Rajahmundry Central Prison	Madras Presidency	
12	Poreddypedda Thippa Reddy	13 July 1949	25		Rajahmundry Central Prison	Madras Presidency	
13	Uppara Chinna Pullappa	13 July 1949	35		Rajahmundry Central Prison	Madras Presidency	
14	Jonada Musalaiah	10 October 1949	24		Rajahmundry Central Prison	Madras Presidency	
15	Hanmanth Bhimappa Bhaskari	17 October 1949	35		Belgaum Central Jail	Bombay State	
16	Nathuram Godse	15 November 1949	39	37	Ambala Central Jail	East Punjab	Murder
17	Narayan Dattatraya Apte	15 November 1949	39	37	Ambala Central Jail	East Punjab	Conspiracy to murder
18	Adyayya Parappa Ramgouda	16 January 1950	35		Belgaum Central Jail	Bombay State	
19	Sanna Hanamappa Yamanappa Gadgi	20 February 1951	55		Belgaum Central Jail	Bombay State	
20	Vithoba Krishna Thorat	8 February 1951	62		Belgaum Central Jail	Bombay State	
21	Sidappa Basavanappa Shiddanavar	17 December 1951	25		Belgaum Central Jail	Bombay State	
22	Shyama Charan Shukla/Sukul	21 June 1952	N/A	N/A	Alipore Central Jail	West Bengal	
23	Dyayappa Adivappa Dadi	22 August 1953	28		Belgaum Central Jail	Bombay State	
24	Rattan Bai Jain	3 January 1955	35		Tihar Jail	New Delhi	murder of 3 girl
25	Ram Chariter Show	7 January 1955	N/A	N/A	Presidency Correctional Home	West Bengal	
26	Shivarudrappa Virbhadrappa Bhandigani	15 December 1955	21		Belgaum Central Jail	Bombay State	
27	Hanmanth Bhimappa Sullanavar	19 December 1955	40		Belgaum Central Jail	Bombay State	

28	Yallappa Nilappa Annigeri	30 December 1955	35		Belgaum Central Jail	Bombay State	
29	Birendra Nath Dutta	28 January 1956	N/A	N/A	Alipore Central Jail	West Bengal	
30	Tippanna Ningappa Agsar	16 May 1956	50		Belgaum Central Jail	Bombay State	
31	Pandurang Tatyasaheb Shinde	18 June 1956	40		Belgaum Central Jail	Bombay State	
32	Sadashiv Satteppa Khanchanale	9 July 1956	27		Belgaum Central Jail	Bombay State	
33	Bhimappa Shivarayappa Nandi	31 July 1956	39		Belgaum Central Jail	Bombay State	
34	Yallappa Somappa Nandi	31 July 1956	19		Belgaum Central Jail	Bombay State	
35	Parasappa Somappa Nandi	31 July 1956	28		Belgaum Central Jail	Bombay State	
36	Dundappa Basappa Bhadrashetti	11 September 1956	32		Belgaum Central Jail	Bombay State	
37	Gopal Chandra Ghosh	8 February 1957	N/A	N/A	Presidency Correctional Home	West Bengal	
38	Shew Prasad alias Lall	20 December 1957	N/A	N/A	Presidency Correctional Home	West Bengal	
39	Shamsher Sheikh	10 May 1958	N/A	N/A	Alipore Central Jail	West Bengal	
40	Sher Mohammad	10 May 1958	N/A	N/A	Alipore Central Jail	West Bengal	
41	Abdul Khaleque	12 May 1958	N/A	N/A	Presidency Correctional Home	West Bengal	
42	Asgar Ali alias Ashu	12 May 1958	N/A	N/A	Presidency Correctional Home	West Bengal	
43	Gura Sahu/Guna Show	29 May 1958	N/A	N/A	Alipore Central Jail	West Bengal	
44	Bachan Singh	23 June 1958	N/A	N/A	Tihar Jail, New Delhi	Delhi	
45	Ajit Bose	9 August 1958	N/A	N/A	Presidency Correctional Home	West Bengal	
46	Dhanamath Guru alias Badis	18 August 1958	47		Berhampore Circle Jail	Orissa	
47	Fakir Ahamed	8 November 1958	N/A	N/A	Presidency Correctional Home	West Bengal	
48	Bipin Bihari Sarkar	24 January 1959	N/A	N/A	Presidency Correctional Home	West Bengal	
49	Bishnu Charan Saha	24 January 1959	N/A	N/A	Presidency Correctional Home	West Bengal	
50	Pyare Lal	16 June 1959	N/A	N/A	Tihar Jail, New Delhi	Delhi	
51	Gurunath Govindrao Deshpande	27 July 1959	31		Belgaum Central Jail	Mysore State	
52	Ram Gopal	21 September 1959	N/A	N/A	Tihar Jail, New Delhi	Delhi	
53	Bholanath Choudhury/Sadhukhan	23 September 1959			Alipore Central Jail	West Bengal	

54	Yamanappa Tippanna Savadi	29 February 1960	35		Belgaum Central Jail	Mysore State
55	Chinthala Gangula Reddy	10 August 1960	30		Rajahmundry Central Prison	Andhra Pradesh
56	Pulagam Ramarao	12 September 1960	18		Rajahmundry Central Prison	Andhra Pradesh
57	Dhan Bhadur	11 October 1960	N/A	N/A	Jammu District Jail	Jammu and Kashmir
58	Bhadur Singh	11 October 1960	N/A	N/A	Jammu District Jail	Jammu and Kashmir
59	Lalsing Mahasing Gurkha	21 November 1960	30		Belgaum Central Jail	Mysore State
60	Narain Singh	7 December 1960	N/A	N/A	Tihar Jail, New Delhi	Delhi
61	Jampana Satyanarayana Raju	24 January 1961	30		Rajahmundry Central Prison	Andhra Pradesh
62	Sahidul Rahaman	1 April 1961	N/A	N/A	Dum Dum Central Correctional Home	West Bengal
63	Durga Prasad Katik	1 April 1961	N/A	N/A	Dum Dum Central Correctional Home	West Bengal
64	Bandi Mungulu	11 April 1961	35		Rajahmundry Central Prison	Andhra Pradesh
65	Aditya Narayan Chatterjee	2 June 1961	N/A	N/A	Presidency Correctional Home	West Bengal
66	Boya Danja Yerramala	17 October 1961	24		Rajahmundry Central Prison	Andhra Pradesh
67	Md. Sharif	13 November 1961	N/A	N/A	Tihar Jail, New Delhi	Delhi
68	Attar Singh	4 January 1962	N/A	N/A	Jammu District Jail	Jammu and Kashmir
69	Ramdeo Kurmi	12 February 1962			Alipore Central Jail	West Bengal
70	Sovan Mati/Shovan alias Palan Mali	12 February 1962			Alipore Central Jail	West Bengal
71	Sudama Singh	21 May 1962	N/A	N/A	Dum Dum Central Correctional Home	West Bengal
72	Ram Sankar Singh	21 May 1962	N/A	N/A	Dum Dum Central Correctional Home	West Bengal
73	Sanivarapu Venkateswarlu Reddy	26 May 1962	19		Rajahmundry Central Prison	Andhra Pradesh
74	Babulal Das alias Bhuku Das	8 June 1962	N/A	N/A	Presidency Correctional Home	West Bengal
75	Kummara Eswarppa	10 September 1962	40		Rajahmundry Central Prison	Andhra Pradesh
76	Ediga	21 December 1962	45		Belgaum Central Jail	Mysore State
77	Chintehalapudi Andiah	9 January 1963	40		Rajahmundry Central Prison	Andhra Pradesh
78	Sk. Babu Sahib	16 January 1963	30		Rajahmundry Central Prison	Andhra Pradesh
79	Hamam Singh	19 June 1963	N/A	N/A	Tihar Jail	Delhi

80	Bhagwan Singh	19 June 1963	N/A	N/A	Tihar Jail	Delhi	
81	Arjunen alias Polka Damb	29 June 1963	22		Berhampore Circle Jail	Orissa	
82	Nagappa Sahebgoudar Patil	26 July 1963	42		Belgaum Central Jail	Mysore State	
83	Sitaram Kaher	1 September 1963			Alipore Central Jail	West Bengal	
84	Sultan Mondal	22 October 1963	N/A	N/A	Presidency Correctional Home	West Bengal	
85	Ram Singh	13 March 1964	N/A	N/A	Tihar Jail	Delhi	
86	Sohan Singh	31 March 1964	N/A	N/A	Tihar Jail	Delhi	
87	Boya Sanajimmappa	8 May 1964	32		Rajahmundry Central Prison	Andhra Pradesh	
88	Yashwant Bandu koli	10 August 1964	45		Belgaum Central Jail	Mysore State	
89	Khetra Mohan Dhali	12 August 1964			Alipore Central Jail	West Bengal	
90	Sathi Venkaiah	23 November 1964	50		Rajahmundry Central Prison	Andhra Pradesh	
91	Bhramar Singh/Bhomour Singh	1 April 1965			Alipore Central Jail	West Bengal	
92	Suman Singh/Samundar Singh	1 April 1965			Alipore Central Jail	West Bengal	
93	Gansa Pahan	7 June 1965	N/A	N/A	Presidency Correctional Home	West Bengal	
94	Jwala Ran	29 December 1965	N/A	N/A	Patiala Central Jail		
95	Srichand	26 October 1966	N/A	N/A	Tihar Jail	Delhi	
96	Manzoor Ahmad	26 October 1966	N/A	N/A	Tihar Jail	Delhi	
97	Lochan Pal	26 July 1967	N/A	N/A	Tihar Jail	Delhi	
98	Hasansab Imamsab Jatagar	17 August 1967	42		Belgaum Central Jail	Mysore State	
99	Maslansab Dadasab Jatagar	17 August 1967	40		Belgaum Central Jail	Mysore State	
101	Abdul Fakirsab Jatagar	17 August 1967	40		Belgaum Central Jail	Mysore State	
102	Polanki Ayyanna	28 February 1968	40		Rajahmundry Central Prison	Andhra Pradesh	
103	Kurra Chakram	28 February 1968	30		Rajahmundry Central Prison	Andhra Pradesh	
104	Madkami Mala	18 May 1968	37		Berhampore Circle Jail	Orissa	
105	Rayi alias Rayi Narasaih	19 June 1968	50		Rajahmundry Central Prison	Andhra Pradesh	
106	Penbnagonda Chinna Chenna Reddy	8 August 1968	42		Rajahmundry Central Prison	Andhra Pradesh	
107	Dharam Singh	22 January 1971	N/A	N/A	Patiala Central Jail		
108	Raghab Naik	3 August	43		Berhampore Circle	Orissa	

		1971			Jail		
109	Jai Chand	7 October 1974	N/A	N/A	Tihar Jail	Delhi	
110	Hukum Chand	7 October 1974	N/A	N/A	Tihar Jail	Delhi	
111	Malakendra Ramachandra Patil	20 June 1975	40		Belgaum Central Jail	Karnataka	
112	Sambhaji Vithal Patil	20 June 1975	26		Belgaum Central Jail	Karnataka	
113	Shivaji Vithal Patil	20 June 1975	24		Belgaum Central Jail	Karnataka	
114	Girimallappa Rudrappa Madgalli	20 June 1975	24		Belgaum Central Jail	Karnataka	
115	Rajappa Pandappa Nannavar	20 June 1975	25		Belgaum Central Jail	Karnataka	
116	Vemenappa Bhimappa Madar	20 June 1975	55		Belgaum Central Jail	Karnataka	
117	Mohinder Singh	6 February 1976	N/A	N/A	Patiala Central Jail		
118	Laxman Ram	31 October 1976	N/A	N/A	Jammu District Jail	Jammu and Kashmir	
119	Amrit Bhushan Gupta	18 January 1977	N/A	N/A	Tihar Jail	Delhi	
120	Shiv Mohan	7 April 1977	N/A	N/A	Tihar Jail	Delhi	
121	Baksis Singh	1 December 1977	N/A	N/A	Tihar Jail	Delhi	
122	Joseph Peter alias Kumar	28 January 1978	N/A	N/A	Central Jail, Aguada		
123	Sidrai Siddappa Sonnad	18 March 1978	34		Belgaum Central Jail	Karnataka	
124	Khubanna Jakkappa Godekar	18 March 1978	42		Belgaum Central Jail	Karnataka	
125	Sabu Balappa Jaljannavar	18 March 1978	30		Belgaum Central Jail	Karnataka	
126	Dundappa Kashappa Managadi	18 March 1978	35		Belgaum Central Jail	Karnataka	
127	Basappa Shivappa Hadimani	18 March 1978	25		Belgaum Central Jail	Karnataka	
128	Kompatimar Shankariya	16 May 1979	27		Jaipur Central Jail	Rajasthan	Murder
129	Azhakesan	1979			Central Prison, Poojappura	Kerala	Murder
130	Kuljeet Singh alias Ranga	31 January 1982			Tihar Jail	Delhi	Kidnapping and Murder
131	Jasbir Singh alias Billa	31 January 1982			Tihar Jail	Delhi	Kidnapping and Murder
132	Balbir Singh	27 April 1983	N/A	N/A	Patiala Central Jail		
133	Mehar Chand	3 May 1983	63	57-62	Jaipur Central Jail	Rajasthan	Murder
134	Surjit Singh alias Jagjit Singh	6 May 1983	N/A	N/A	Patiala Central Jail		
135	Ujagar Singh alias Santa Singh	9 October 1983			Tihar Jail	Delhi	
136	Kartar Singh	9 October 1983			Tihar Jail	Delhi	

137	Hanamanth Laxmappa Mallyar	9 November 1983	27		Belgaum Central Jail	Karnataka	
138	Rajendra Jakkal	27 November 1983			Yerwada Central Jail	Maharashtra	Murder
139	Dilip Dhyanova Sutar	27 November 1983			Yerwada Central Jail	Maharashtra	Murder
140	Shantaram Kanhoji Jagtap	27 November 1983			Yerwada Central Jail	Maharashtra	Murder
141	Munawar Harun Shah	27 November 1983			Yerwada Central Jail	Maharashtra	Murder
142	Maqbool Bhat	11 February 1984	45	28	Tihar Jail	Delhi	Murder
143	Gulzar Singh	14 June 1988	N/A	N/A	Patiala Central Jail	Punjab	
144	Bhajan Singh	14 June 1988	N/A	N/A	Patiala Central Jail	Punjab	
145	Raj Kumar	5 July 1988	N/A	N/A	Patiala Central Jail	Punjab	
146	Baba Balyogi alias Ganpat	14 July 1988	29		Jaipur Central Jail	Rajasthan	
146	Paramhans Yadav	1988				Bihar	Murder
147	Satwant Singh	6 January 1989	27	22	Tihar Jail	Delhi	Murder
148	Kehar Singh	6 January 1989			Tihar Jail	Delhi	Conspiracy to murder
149	Gurcharan Singh	16 June 1989			Patiala Central Jail	Punjab	Murder
150	Pritam Singh	16 June 1989			Patiala Central Jail	Punjab	Murder
151	Gulab Singh	28 June 1989	N/A	N/A	Ambala Central Jail	Haryana	Murder
152	Umaid Singh alias Umaid Ram	8 September 1989	45		Jaipur Central Jail	Rajasthan	
153	V Balakrishnan	16 March 1990			Central Prison, Kannur	Kerala	Murder
154	Muthukutty Chandran alias "Ripper Chandran"	6 July 1991			Central Prison, Kannur	Kerala	Murder and rape
155	Kartick Seal/Sil	21 August 1991			Alipore Central Jail	West Bengal	Murder
156	Sukumar Burman alias Sutku	21 August 1991			Alipore Central Jail	West Bengal	Murder
157	Ranjeet Singh	28 November 1991	32		Jaipur Central Jail	Rajasthan	
158	Syo Lal	28 November 1991	76		Jaipur Central Jail	Rajasthan	
159	Raj Gopal	10 February 1992	N/A	N/A	Jammu District Jail	Jammu and Kashmir	
160	Sukhdev Singh Sukha	9 October 1992	30	23	Yerwada Central Jail	Maharashtra	Murder
161	Harjinder Singh Jinda	9 October 1992	31	24	Yerwada Central Jail	Maharashtra	Murder
162	Laxman Naik	16 July 1994	36		Berhampore Circle Jail	Orissa	

163	Bheru Singh	20 August 1994	40		Jaipur Central Jail	Rajasthan	
164	Auto Shankar	27 April 1995	41	34	Salem Central Prison	Tamil Nadu	Murder
165	Suresh Chandra Bahri	12 June 1995			Bhagalpur Central Jail	Bihar	Murder
166	Ramchandra alias Ravjee	4 May 1996	29		Jaipur Central Jail		Murder
167	Surja Ram	7 April 1997	52		Jaipur Central Jail	Rajasthan	Murder
167	Dhananjoy Chatterjee	14 August 2004	39	25	Alipore Jail, Kolkata	West Bengal	Murder
168	Mohammed Ajmal Kasab	21 November 2012	25	21	Yerwada Central Jail	Maharashtra	Murder, and waging war against the Government of India
169	Mohammad Afzal Guru	9 February 2013	43	32	Tihar Jail	Delhi	Conspiracy
170	Yakub Abdul Razak Memon	30 July 2015	53	30	Central Jail, Nagpur	Maharashtra	Conspiracy
171	Mukesh Singh	20 March 2020	32		Tihar Jail	Delhi	Murder
172	Akshay Thakur	20 March 2020	31		Tihar Jail	Delhi	Murder
173	Vinay Sharma	20 March 2020	26		Tihar Jail	Delhi	Murder
174	Pawan Gupta	20 March 2020	25		Tihar Jail	Delhi	Murder

- * National Crime records bureau

The death penalty is a ridiculous punishment because it does not show why murder is bad by killing someone who has already killed someone. The majority of civilized nations have eliminated it. India definitely doesn't need it because it does no function. There is no study that the death penalty is more deterrent to murder than life imprisonment. The evidence is overwhelming to you. For deterrence to be effective, the severity of punishment must coexist with the certainty and speed of punishment. The death penalty did not stop terrorism, murder, or even theft. In Britain, for more than a century, theft was sentenced to death and public execution spectators were often searched for pockets.

Problem Statement

The death penalty has some drawbacks. Between January 1, 2000 and June 30, 2015, the Supreme Court sentenced 60 death sentences. He then admitted that he made a mistake in those 15 (25 percent). Can you trust that this system will end your life? And even then, was it based on evidence collected or produced by corrupt or ineffective police? Poor marginalized people are mistakenly sentenced to death. Those without the death penalty will be punished. Poor prisoners with legal assistance benefit most, but prisoners with private lawyers do not. It is difficult to apply the death penalty fairly or logically. The Supreme Court has consistently confirmed that this strictest judgment was erroneously imposed. 5.2 people died for every 10,000 rupees murder. Such a choice is inevitable and strange. It mainly depends on the referee's personal beliefs. The judge who supported him was sentenced to death. The judge who opposed it never did. The president who supported the

abolition (p. Rada Krishnan and A.P. J. Abdul Kalam) did not refuse the request for amnesty, but others with different ideologies were more aggressive. Does a person's philosophy need to determine if it can kill others? If the death penalty is abolished, the tax burden will decrease, not increase. The average annual cost of accommodating prisoners is \$ 30,000. Executioners not only save money for the long process of death, but also receive higher wages. The desire for legitimate revenge of the victim is of constitutional, legal, or political, without causing frenzy when the death penalty is sought, as is often the case in completely unjustified situations (accidental death, fraud, etc.). It cannot affect the problem. Isn't it a small percentage of the death penalty required when life imprisonment meets the needs of the victim's family, which accounts for 99.99% of the victims? Punishment is necessary, but why should it be delivered in the same violent and ruthless way that killed the prisoner's victims? Crime should not be reflected in punishment. We do not commit rape, hurt those who rap others, or make them look unattractive. Why do you have to kill the murderer?

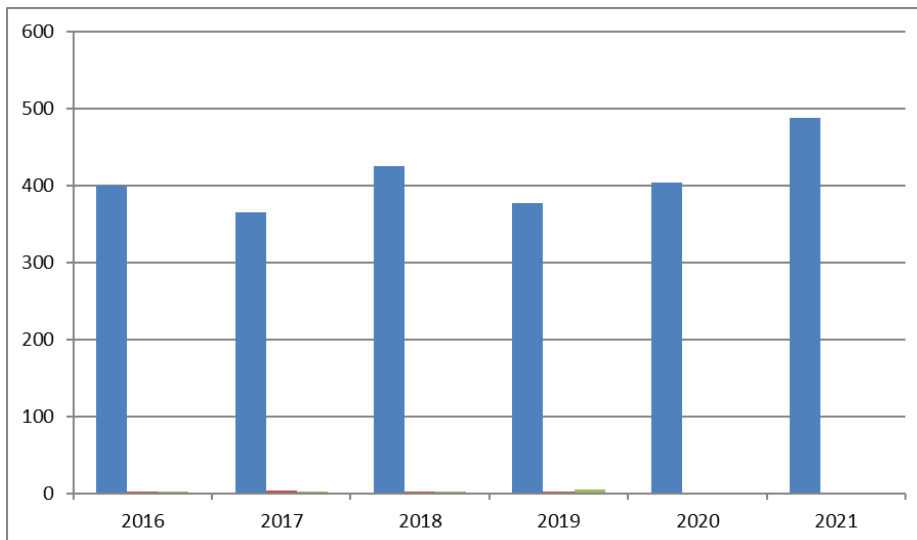
State/UT-wise Convicts Confined for Capital Punishment & Life Imprisonment (2017-2019)*

Sl. No.	State/UT	Capital Punishment Convicts			Life Imprisonment Convicts		
		2017	2018	2019	2017	2018	2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	ANDHRA PRADESH	0	0	0	1797	1780	1858
2	ARUNACHAL PRADESH	0	0	0	15	41	40
3	ASSAM	0	4	7	2039	1948	1725
4	BIHAR	23	18	29	3395	4502	5770
5	CHHATTISGARH	8	10	8	5616	5873	5845
6	GOA	0	0	0	71	73	74
7	GUJARAT	4	5	3	1995	2292	2611
8	HARYANA	16	17	13	3196	3500	3302
9	HIMACHAL PRADESH	0	3	3	371	372	399
10	JAMMU & KASHMIR	12	10	10	117	77	92
11	JHARKHAND	9	20	27	3292	3330	3680
12	KARNATAKA	20	26	28	2874	2213	2513
13	KERALA	20	15	16	455	1066	1578
14	MADHYA PRADESH	27	40	37	11263	11844	10256
15	MAHARASHTRA	66	76	52	3835	4126	4810
16	MANIPUR	0	1	2	28	47	44
17	MEGHALAYA	0	0	0	21	36	56
18	MIZORAM	0	0	0	33	38	67
19	NAGALAND	0	0	0	24	26	26
20	ODISHA	0	9	12	2214	2545	2384
21	PUNJAB	13	14	8	2391	2246	2194
22	RAJASTHAN	14	17	18	2889	2720	3039
23	SIKKIM	0	0	0	47	38	41
24	TAMIL NADU	6	10	13	2495	1396	1392
25	TELANGANA	1	0	0	1270	1045	1315
26	TRIPURA	2	0	1	338	295	324
27	UTTAR PRADESH	49	44	49	16700	17169	17515
28	UTTARAKHAND	5	12	13	1014	849	831
29	WEST BENGAL#	37	37	37	1859	1859	1859
TOTAL (STATES)		332	388	386	71654	73346	75638
30	A & N ISLANDS	0	0	0	41	36	37
31	CHANDIGARH	0	0	0	105	112	134
32	D & N HAVELI	0	0	0	0	0	0
33	DAMAN & DIU	0	0	0	12	12	13
34	DELHI	15	14	14	1303	1314	1288
35	LAKSHADWEEP	0	0	0	0	0	0
36	PUDUCHERRY	0	0	0	49	53	48
TOTAL (UTs)		15	14	14	1510	1527	1520
TOTAL (ALL-INDIA)		347	402	400	73164	74873	77158

* As per data provided by States/UTs.
 * Data as on 31st December of the respective year
 # Due to non-receipt of data from West Bengal for the year 2018 & 2019, data furnished for 2017 has been used.

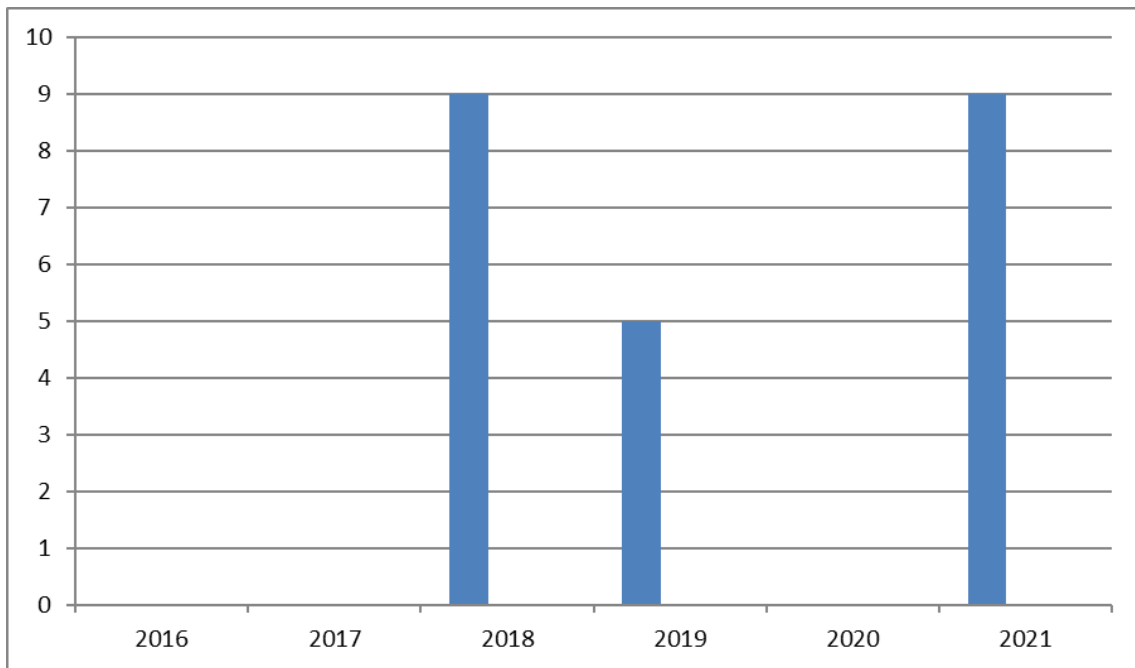
• * National Crime records bureau.

Cumulative Figures on Persons Sentenced to Death No.of Prisoners on death Row.



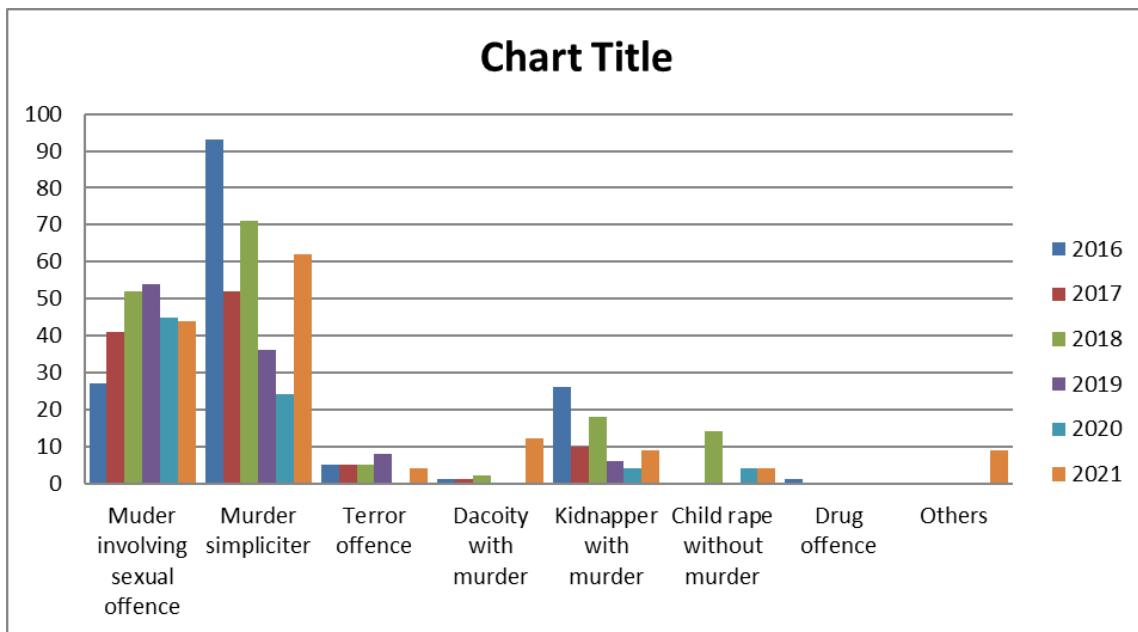
* National Crime records bureau.

Death Sentences Imposed by Sessions Courts in Odisha.



* National Crime records bureau.

Nature Of Offences for Those Sentenced to Death by Sessions Courts.



* National Crime records bureau.

Conclusion

It has been observed that Odisha's position on the death penalty remains negligible. The moral and social issues surrounding this controversial issue, as well as the legal and constitutional issues surrounding the death sentence, must cause great confusion in this regard. Without addressing legal issues, the debate over the death sentence needs to address moral dilemmas such as "eye for an eye" ethics on the one hand and the attitude of the general public on the other. Also, the occasional mis judgment is human, and giving someone another chance can feel like they've put a bullet in them. Finally, it has been concluded with two appropriate citations that make the public think of the two divisive aspects of the death penalty. The first is by Bernard Shaw, an Irish playwright and co-founder of the

London School of Economics. "Criminals do not die under the rule of law. They die in the hands of others. Assassination on a foothold is the worst form of assassination because it is invested there with the consent of society. Murder and death penalty are not opposition to each other, but similarities that produce equivalents." Perhaps there is no clear right or wrong solution to the death penalty problem, or if any, the culture of this region needs to be well advanced so that we can see it clearly. To avoid the possibility of error, the judiciary must scrutinize facts and evidence in all cases of this type. In addition, Odisha does not have reliable statistics on what needs to be done in the future, showing the number of prisoners sentenced to death and executed in connection with many other issues.

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