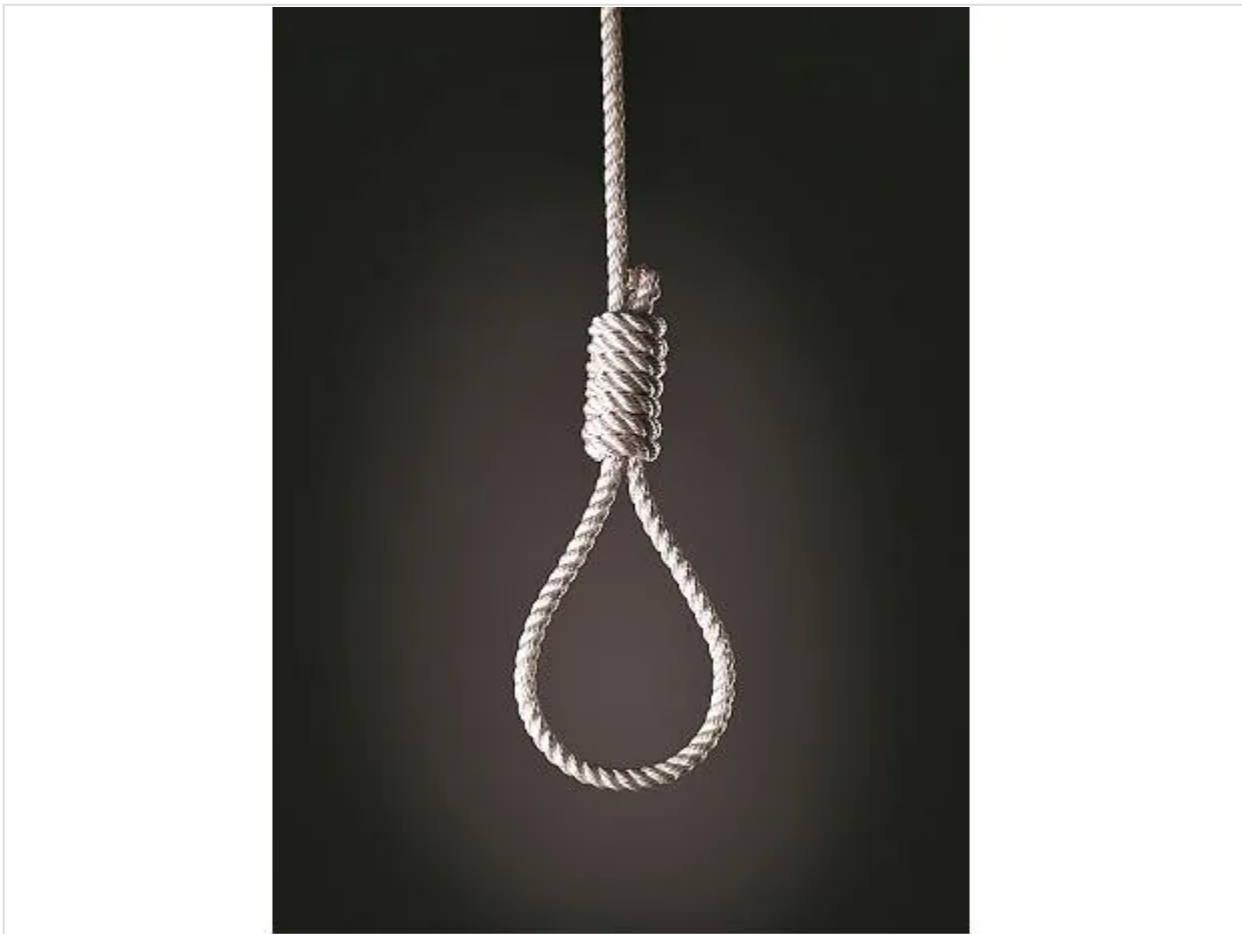


Business Standard

165 death sentences by trial courts in 2022, highest since 2000: Report

Trial courts across the country imposed 165 death sentences in 2022, which is the highest in a single year in the last two decades, a report has said

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Trial courts across the country imposed 165 death sentences in 2022, which is the highest in a single year in the last two decades, a report has said.

Also, 539 prisoners were on death row by the end of 2022, which was the highest since 2016 and the number of

prisoners living under death sentence saw an increase of 40% since 2015, the report added.

The report titled 'Death Penalty in India, Annual Statistics Report, 2022' was released by Project 39A of the National Law University (NLU) [here](#).

The large death row population signals the continued imposition of a high number of death sentences by trial courts with a low rate of disposal by appellate courts, the report said.

It said that more than 50 per cent (51.28 per cent) cases, where the death penalty was imposed, pertained to sexual offences.

The highest imposition of death sentences in 2022 was influenced by the sentencing of 38 persons to death in Ahmedabad in a bomb blast case, the report said, adding this represented the largest number of people sentenced to death in a single case since 2016.

The Supreme Court and high courts decided 11 and 68 matters related to death sentencing, respectively, the report said.

From the 68 cases decided by the high courts, involving 101 prisoners, three prisoners had their death sentences confirmed, 48 saw their sentences commuted to life imprisonment, 43 were acquitted of all charges and six had their cases remitted to the trial court, the NLU report added.

It said the Bombay High Court also enhanced the sentence of one prisoner from life imprisonment to the death penalty in a dacoity and murder case and this was the second case of enhancement since 2016.

Among the 11 cases decided by the Supreme Court, involving 15 prisoners, the court acquitted five prisoners of all charges, commuted death sentences to life imprisonment for eight prisoners and confirmed the death penalty for two prisoners, the report said.

The acquittal decisions of the apex court noted the improper nature of investigations and procedural failures by the police, prosecution and trial courts, it said.

Although appellate courts have continued to commute the majority of death sentences decided in the year, worryingly, these commutations have increasingly resulted in the imposition of life imprisonment without remission, the report said.

While the Supreme Court imposed life imprisonment without remission for all eight prisoners whose death sentences were commuted, high courts imposed the same for over 56.6 per cent of prisoners, the report added.

The report also noted that in 2022, a three-judge bench had referred the question of the time that must be given for sentencing in death penalty cases, among other aspects of sentencing law, to a Constitution Bench.

The highest number of people on death row were in the states of Uttar Pradesh (100), Gujarat (61), Jharkhand (46), Maharashtra (39) and Madhya Pradesh (31), the report said.