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Khairlanji killings: Bombay HC commutes death sentence of 6 convicts to life term

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NEW DELHI: The Nagpur bench of Bombay high court on Wednesday commuted death sentence of 6 convicts in the gruesome Khairlanji Dalit family massacre case of 2006 to life imprisonment.

The life imprisonment to the accused will be for a period of 25 years, including the time they have already served in prison.

A division bench comprising Justices A P Lawande and R C Chauhan pronounced the much-awaited final verdict in the case, turning down a plea by the Central Bureau of Investigation (CBI) challenging the lower court's ruling giving life to two of the eight accused while sentencing to death six people.

The judgement was delivered via video conferencing as one of the judges of the division bench Justice Ravindra Chavan is posted at Mumbai.

Earlier, Bhandara sessions court had awarded capital punishment to 6 accused and lifer to 2. Those given death were Shatrughana Dhande, Vishwanath Dhande, Ramu Dhande, Sakru Binjewar, Jagdish Mandlekar and Prabhkar Mandlekar.

The trial court had given life term to Shishupal Dhande and Gopal Binjewar. Three more accused were acquitted.

The horrific incident unfolded on the evening of September 29, 2006, when a group of villagers descended on the Bhotmange family in Khairlanji village in Maharashtra's Bhandara district, IANS reported.

They dragged out Surekha Bhaiyyalal Bhotmange, 44, her sons Roshan, 23, Sudhir, 21 and daughter Priyanka, 18, assaulted them brutally, paraded them naked in the village, sexually abused them with sticks and then hacked them to death. The women were gangraped.

The attackers mutilated the private parts of the two sons - all this in full public view of many other villagers.

Surekha's husband, Bhaiyyalal, who had gone to work in the fields also witnessed the incident while hiding in a nearby hut. He managed to escape the mob brutality.

A few days before the incident - which led to widespread Dalit protests all over Maharashtra - Surekha Bhotmange had lodged a police complaint in a land dispute against some villagers. The attacks on the Bhotmanges were a revenge for Surekha's daring.

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Khairlanji case: Dalit leaders want death for killers

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Nagpur : Expressing dissatisfaction over the Bombay High Court verdict in the Khairlanji killings, Dalit leaders of Maharashtra today asked the state government to appeal in the Supreme Court to seek death penalty for the convicts.

The Nagpur bench of Bombay High Court today commuted the death sentence of six convicts in the Khairlanji Dalit killings case to 25 years imprisonment.

"The government should approach the Supreme Court against the verdict...I will speak to Chief Minister on this issue," Dairy Development Minister Nitin Raut said.

The court verdict is unfortunate and the government should appeal in the apex court, Raut, who is a prominent Dalit leader from Vidarbha region, said.

Former minister Sulekha Kumbhare said she would speak to Home Minister R R Patil and ask him to approach the Supreme Court immediately to appeal against the HC ruling.

"We don't accept the HC verdict. Injustice has been heaped on Dalit community. We demand death penalty for the accused," she said.

Former MP Prakash Ambedkar said the state government needs to take the verdict seriously and appeal in the apex court to assuage feelings of the Dalits who have been hurt by the HC ruling.

The Khairlanji verdict has come as a shocker to the Ambedkarite movement, former MP and RPI leader Ramdas Athawale said.

"I will meet Chief Minister Ashok Chavan and Home Minister R R Patil to demand immediate appeal by the state government in Supreme Court," Athawale said.

"Instances of injustice against Dalits are on the rise all over the country. Dalit masses should organise an agitation against such injustice," he said.

Survivor too demands capital punishment

The lone survivor of Khairlanji dalit killing incident, Bhaiyalal Bhotmange on Wednesday said he was unhappy with the High Court verdict which commuted the capital punishment of six accused to life imprisonment and demanded that Maharashtra government file an appeal in this regard.

"The court decision was unexpected. The Maharashtra Government should now go in for appeal against the HC order to give me justice," Bhotmange told reporters outside the court.

Not a single person has been confirmed death sentence which was unfortunate, he added.

Defence lawyers Sudeep Jaiswal and Neeraj Khandewale were extremely happy over the judgement.

"Our stand has been vindicated for the second time, first at special court in Bhandara which awarded death sentence to six accused and gave lifer to remaining two. And now today at the HC," they said.

Counsel for CBI, Ejaz Khan said prima facie, the court has upheld the guilt of the accused and the quantum of punishment is the prerogative of the High Court.

"We are happy, at this stage," he said.

Four members of Bhotmange family were brutally murdered by an angry mob in Khairlanji village on September 29, 2006.



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Dalits sore over Khairlanji massacre verdict

Dalit leaders have reacted sharply to the Bombay High Court's decision on Wednesday to reduce the punishment awarded to six convicts in the massacre of a Dalit family in Khairlanji in 2006, saying it was a failure on the part of the government.

Prakash Ambedkar, president of the Bahujan Maha Sangh, said that the court had not even considered the cruelty committed against the victims. "We will request the Maharashtra government to file an appeal in the Supreme Court at the earliest," he said.

The high court commuted the death sentences of the six convicts in the case and gave them life imprisonment of 25 years each.

Jogendra Kawade, president of the People's Republican Party, described the verdict as "unfortunate", asking: "Has our law system also started suffering from caste based politics?"

"I also fail to understand why the charges of atrocities were dropped in this case. It has to be noted that this is not just a murder case. The verdict is a failure on the part of the government," he added.

Kawade said that the verdict will only encourage people to commit more such atrocities on Dalits. Kawade had resigned as a member of the legislative council in December 2006 as a part of the protest against the murder of the Dalits.

Former state minister and Dalit leader Surekha Kumbhare said that she will approach Maharashtra Chief Minister Ashok Chavan and Home Minister R.R. Patil asking them to take appropriate steps for a review of the verdict.

"The verdict clearly shows that the state government was not at all serious in this case. We are not satisfied with this verdict and will not accept it," she said.

"If the verdict is not reviewed and changed, we will launch agitations," she added.

The verdict was given by a division bench of Justices A.P. Lawande and R.C. Chauhan, which turned down a plea of the Central Bureau of Investigation (CBI) challenging the lower court's ruling giving life sentence to two of the eight convicts while sentencing six to death.

In September 2006, a group of villagers attacked the Bhotmange family in Khairlanji village in Maharashtra's Bhandara district.

They dragged out Surekha Bhaiyyalal Bhotmange, 44, her sons Roshan, 23, Sudhir, 21, and daughter and assaulted them brutally. The victims were paraded naked in the village, sexually abused and hacked to death. The women were gangraped.

Surekha Bhotmange had lodged a police complaint in a land dispute against some villagers, a few days before the incident.

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HC commutes death sentence to imprisonment in Khairlanji killings

PTI



The Hindu A policeman guards the house of Bhaiyyalal Bhotmange whose family of four were murdered in a caste-related killing in Khairlanji village on September 29, 2006. File photo: Vivek Bendre

The Bombay High Court on Monday commuted the death sentence of six convicts, in the infamous Khairlanji Dalit killings case, to 25 years imprisonment and fixed a similar sentence for two others serving life term.

Justice Lavande of Nagpur bench of the court held that all the eight convicts will undergo 25 years of life imprisonment including the period they have already spent in jail.

The case pertains to the brutal murder of four members of a Dalit family — Surekha Bhaiyyalal Bhotmange, her daughter Priyanka, sons Sudhir and Roshan — by an angry mob in Khairlanji village on September 29, 2006.

Justice A. P. Lavande pronounced the judgement while Justice RC Chavan, who is on an assignment at the High Court in Mumbai, joined him via video conference here.

This is for the first time that a judgement has been pronounced by a division bench through video conference.

Pronouncing the operative part of the verdict, Justice Lavande disposed of appeals of defence as well as prosecution.

The CBI had appealed for enhancing the sentence of two convicts, who were sentenced for life. The convicts had also appealed against the sentence by the trial court at Bhandara.

The death sentence awarded by the trial court had come up before the High Court for confirmation.

The bench had heard the matter on a daily basis from March 29 and reserved it for judgement before the summer vacation.

In view of sensitivity of the matter, a tight vigil was maintained in and around the high court.

A trial court of S. S. Dass, on September 24, 2008, awarded capital punishment to six persons. Two others were given life imprisonment.

The six convicts whose death sentence has been commuted to life are Sakru Binjewar, Ramu Dhande, Shatrughan Dhande, Vishwanath Dhande, Jagdish Mandlekar and Prabhakar Mandlekar. Gopal Binjewar and Shishupal Dhande were awarded life imprisonment.

The CBI had also filed appeal against acquittal of all the eight under the Prevention of Atrocities on SC/ST Act as the victims belonged to a Dalit family from Khairlanji.

However, the High Court did not consider the CBI plea and upheld the trial court's judgement dropping the charges under the Prevention of Atrocities Act.

The CBI Counsel Ejaz Khan demanded enhancement of sentence for two accused who were sentenced to life. He argued that trial court ought to have considered evidence which pointed out towards sexual abuse of Surekha and Priyanka.

"By dropping the atrocities charges against the accused persons, the gravity of crime has been substantially diluted," the CBI contended.

The defence lawyers pointed out several discrepancies and omissions in the evidence produced on record. Political pressure and biased investigation has resulted in miscarriage of justice, they claimed.

Keywords: [Khairlanji killings](#), [caste clashes](#), [social tensions](#), [CBI](#), [Maharashtra government](#), [Bombay High Court](#)