

# Life Sentence Over Death

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## Life Sentence Over Death: A Case Study of Sanjoy Roy's Conviction

### Context and Background

Sanjoy Roy, convicted of **raping and murdering a doctor at RG Kar Medical College in Kolkata**, was sentenced to **life imprisonment** by a sessions court. The case sparked significant **public outrage**, with the Central Bureau of Investigation (CBI) advocating for the **death penalty**. However, the court adhered to the Supreme Court's principle of reserving the death penalty for the **"rarest of rare" cases**, as established in the landmark **Bachan Singh v. State of Punjab (1980)** judgment.

This principle required the court to weigh **aggravating and mitigating circumstances** before arriving at the sentencing decision.

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### The Death Penalty and the "Rarest of Rare" Doctrine

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#### Key Insights from Bachan Singh v. State of Punjab (1980):

##### 1. Limited Scope for Death Penalty:

- Reserved only for cases where **no possibility of reform** exists.

##### 2. Guiding Principles:

- The Supreme Court categorized circumstances into **aggravating** and **mitigating factors** to assist judges in making sentencing decisions.

##### 3. Judicial Responsibility:

- Sentencing must reflect a balance between the **crime's severity** and the **offender's potential for reform**.
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## Aggravating Circumstances

These factors increase the likelihood of imposing the death penalty:

- **Premeditated and Brutal Acts:**
    - Crimes that are **planned, calculated**, and involve **extreme brutality**.
  - **Exceptional Depravity:**
    - Actions displaying **extraordinary cruelty** and moral corruption.
  - **Targeting Public Servants:**
    - Killing individuals like **police officers** or **armed forces personnel** during or because of their lawful duties.
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## Mitigating Circumstances

These factors weigh against imposing the death penalty:

- **Mental or Emotional Disturbance:**
    - Actions committed under **extreme stress or duress**.
  - **Age of the Offender:**
    - Consideration for **young** or **elderly** offenders.
  - **Possibility of Reform:**
    - Evidence suggesting the offender can be **rehabilitated**.
  - **Mental Impairment:**
    - Cases where the offender cannot understand the **criminality of their actions** due to mental illness.
  - **Acting Under Influence:**
    - Offenders coerced or acting under another's direction.
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## Evolving Jurisprudence Post-Bachan Singh

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### Age as a Mitigating Factor

- **Cases Supporting Reform Potential of Youth:**
  - *Ramnaresh v. State of Chhattisgarh* (2012) and *Ramesh v. State of Rajasthan* (2011) noted that offenders below **30 years** have a higher chance of rehabilitation.
- **Inconsistencies Highlighted by Law Commission (2015):**
  - The 262nd Report noted varying judicial consideration of age across cases.

### Nature of the Offence:

- **Shock to Collective Conscience:**
  - In *Machhi Singh v. State of Punjab* (1983), the Supreme Court held that crimes shocking society's **collective conscience** could warrant the death penalty.
  - However, this often emphasizes the crime's circumstances over the offender's potential for **reform**.

## Possibility of Reform:

- **Presumption Against Death Penalty:**

- The Supreme Court in *Bachan Singh* emphasized that **reformation must be presumed** unless proven otherwise.

- **Objective Sentencing:**

- In *Santosh Bariyar v. State of Maharashtra (2009)*, the Court required **clear evidence** to establish that an offender is beyond rehabilitation.
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## Challenges in Sentencing Hearings

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### Separate Sentencing Trials:

- In *Bachan Singh*, the Supreme Court mandated a separate trial post-conviction to allow proper arguments for and against the death penalty.

### Concerns with Same-Day Sentencing:

1. **Imbalance in Aggravating and Mitigating Factors:**

- **Aggravating circumstances** are already part of the case record.
- **Mitigating circumstances**, however, require additional evidence and are often considered after conviction, disadvantaging the convict.

2. **Judicial Concern Over Fairness:**

- In *Dattaraya v. State of Maharashtra (2020)*, the absence of a proper sentencing hearing led to the commutation of the death sentence to life imprisonment.
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## Sanjoy Roy Case: Key Observations

- **Offender's Age:**

- At **35 years old**, Sanjoy Roy's age does not favor him as a mitigating factor.

- **Nature of the Crime:**

- The brutal and heinous nature of the offence led to public outrage, yet the court avoided a **subjective interpretation** of the "rarest of rare" doctrine.

- **Reform Potential:**

- The court, in line with the **Bachan Singh** principle, presumed the possibility of rehabilitation.
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## Conclusion

The **Sanjoy Roy case** exemplifies the complexities involved in balancing **public sentiment**, **judicial principles**, and **individual rights** in capital punishment cases. While the brutality of the crime led to calls for the death penalty, the sessions court adhered to the Supreme Court's guidelines, emphasizing the **potential for reform** and the importance of the **rarest of rare** doctrine.

The judiciary must continue to refine sentencing procedures to ensure **fairness**, **consistency**, and alignment with evolving jurisprudence. Establishing **uniform guidelines** for mitigating and aggravating factors, as recommended by the Supreme Court, remains a critical step toward achieving this goal.



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