

India to sentence Mumbai siege gunman Thursday

Judge M.L. Tahaliyani held a sentencing hearing for Mohammed Ajmal Kasab on Tuesday

- Reuters
- Published: 09:48 May 6, 2010

Mumbai: An Indian judge said he would decide Thursday whether to sentence to death the only surviving gunman in the bloody 2008 Mumbai attacks.

Judge M.L. Tahaliyani held a sentencing hearing for Mohammed Ajmal Kasab on Tuesday, a day after convicting the 22-year-old Pakistani of murder and waging war against India for his role in the attacks that claimed 166 lives in the nation's financial capital.

Public prosecutor Ujjwal Nikam asked for the death penalty, which is rarely handed down in India.

"It would be a mockery of justice if the death penalty is not imposed," he said.

Drawing on ancient Indian epics, Shakespeare and Urdu poetry in his wide-ranging plea, Nikam said Kasab's crimes were so heinous they defied language.

"My vocabulary falls too short," he said. "The only word known to me is 'mad dog.'"

He said Kasab had enjoyed the act of killing and shown no remorse, making him beyond reform.

"It is better to keep a snake out of the world than in it," he said, one of many occasions on which he compared Kasab unfavorably with an animal.

Later Nikam drew laughter from the judge and assembled press corps by saying, "I feel the comparison of Ajmal Kasab with a poisonous snake is unjust somewhat toward the snake."

He also said a death sentence would act as a deterrent to would-be terrorists. A lesser sentence, he said, means India "will continue to remain a soft target."

India blames a Pakistan-based militant group, Lashkar-e-Taiba, for masterminding the attacks. In his verdict, the judge said Kasab was a member of the group and his handlers were in Pakistan.

Defense lawyer K.P. Pawar asked for the minimum punishment of life in prison for Kasab.

In a sometimes inchoate speech, during which the judge corrected him on several points of law and logic, Pawar argued that his young client had fallen under the sway of his terrorist handlers and was not beyond reform.

"He's a human being of flesh and blood. That should not be forgotten," Pawar said.

Under Indian law, a death sentence can only be awarded in extraordinary cases and must be approved by a higher court.

Kasab can also appeal the decision and apply for clemency, which can take years.

After hearing arguments from both sides, the judge said he would announce Kasab's punishment on Thursday.

Kasab spent most of the hearing slumped motionless on a bench, head bowed and eyes closed. Police helped escort him from the courtroom after proceedings adjourned.

Two Indians accused of helping plot the violence were acquitted Monday, though the prosecutor said he would like to appeal.

In his verdict, the judge added that 20 men - among them Pakistanis still at large - had also played a role in the conspiracy to wage war against India.

The Mumbai attacks escalated tensions between nuclear rivals India and Pakistan. Suspicions that Pakistan is not doing enough to bring the perpetrators to justice could hamper attempts, recently championed by the two nations' leaders, to rekindle formal peace talks that were suspended after the attacks.

The *Times of India*, India's most widely read English-language newspaper, said in an editorial Tuesday that Kasab and the other gunmen were merely "foot soldiers," while the real masterminds remained unpunished.

"Now, it is up to New Delhi to ensure that the work done by the special court and by the investigators, both Indian and foreign, is not wasted. It must continue to exert pressure on Islamabad," the paper said.

© Gulf News 2010