



India

26/11 case: Kasab did not land in Mumbai in dinghy, his lawyers argue

Thursday, 2 December 2010

[<<previous](#)[next>>](#)[Recommend](#)[Twitter](#)[Print](#)[Pdf](#)[Comments\(0\)](#)

Mumbai, December 02: Pakistani gunman Ajmal Kasab today disputed the prosecution story that he along with nine terrorists came in a dinghy to Badhwar Park in south Mumbai coast on the night of the 26/11 attacks, saying evidence was concocted to frame him in the case.

The dinghy produced in the trial court was so small that it could not have accommodated 10 people and their baggage, his lawyer Amin Solkar told the Bombay high court which is hearing confirmation of Kasab's death sentence.

Solkar urged the court to call for the dinghy so that the judges could inspect and get a feel of its capacity.

The prosecution said it would not be possible for them to bring the dinghy to the court and that the judges can visit the trial court at Arthur Road jail where it was kept.

Justice Ranjana Desai and Justice RV More would pass appropriate orders on this later.



The Siasat
Daily

[Like](#)

42,82



Verlieren 12 Kilo in 4 Wochen



Entdecken Sie die schockierende Wahrheit über die heißesten neuen Diät in Deutschland.

Tip

December 02: Solkar and Farhana Shah, appointed by court to defend Kasab, argued that articles seized from the dinghy, such as eight life jackets, T-shirts, trousers and caps, were not sent for DNA tests. If DNA tests were done, it could have been clinching evidence to indicate Kasab's presence in the boat.

It is the case of the prosecution that Kasab and nine others sailed from Karachi in Al-Hussieni boat and midway they hijacked an Indian fishing trawler Kuber. When they were approaching Mumbai coast, they abandoned Kuber and used the dinghy carried by them from Pakistan to reach the shore.

Kasab has, however, taken a stand that he had come from Pakistan much prior to November 26, 2008 by Samjhauta Express to Delhi and

later arrived in Mumbai to watch Hindi films. He was arrested by police at Juhu beach and was in police custody when the terror attacks took place.

Solkar argued that prosecution had examined only one eyewitness Bharat Tamore to prove the landing of terrorists by dinghy at Badhwar Park. This witness cannot be believed as he is not a reliable one, he said.

Tamore was working in Hotel Taj Mahal which was under siege by terrorists on the night of the terror attacks. He told police that he had seen Kasab and some others getting down a dinghy at Badhwar Park. He then went to Taj Hotel to join duty and came back on the next day morning to Badhwar Park. If Taj was under siege, how did he enter the hotel, Solkar asked.

Kasab's lawyer pointed out that it was surprising to note that Tamore was totally silent on the terror attack at Taj hotel where he was on duty that night.

The version given by Tamore cannot be believed as he told police that he had seen eight persons getting down from the dinghy and two others going back in the same boat towards Nariman Point. All the 10 were wearing life jackets according to this witness but police recovered only eight. Where are the other two jackets, Solkar asked.

This clearly indicates that there were only eight persons who landed from the dinghy at Badhwar Park and not 10, Solkar argued.

The version of Tamore has been contradicted by another witness, Anita Wadiyar, who gave a statement to police that she had seen six persons getting down from the dinghy and four of them going back. She was a crucial witness but was not examined by

Rs.5,500/-
CCNA R & S
CCNP R & S
www.firewall-zone.com

Rs. 29710 (Per 10g)

Opinion Poll

[x]

OPINION POLL

Do you think the dead body of Afzal Guru should be handed over to his family?

Yes No Can't say



the prosecution in the court for reasons best known to them, Solkar said.

Tamore had told police that his neighbour Bharat Tandel had also seen some persons getting down from the dinghy and that Tandel was present when the panchnama of the boat was drawn by police. Yet, Tandel was not examined in the court, Solkar argued.

Tandel, he said, could have thrown light on the landing of Kasab at the earliest possible time because he was present at the site when the panchnama of the dinghy was drawn.

Surprisingly, Tandel's name is not mentioned in the panchnama and also that 10 people got down from the dinghy is not reflected in the panchnama. Therefore, a logical inference could be drawn that Tamore had not seen Kasab getting down from the dinghy, Solkar argued.

Moreover, Tamore describes only Kasab and not the others who accompanied him. The description of Kasab is also general in nature. For instance, he had not told police that Kasab was a person of short height, Solkar submitted.

According to the prosecution, fisherman Prashant Dhanu and three others had spotted the dinghy in the sea near Nariman Point and they brought the boat to Badhwar Park.

Solkar argued that the conduct of Dhanu and three others in bringing an abandoned boat from the sea to Badhwar Park coast was unnatural. Normally, an abandoned article is not touched by anyone, he said.

Moreover, Dhanu's version is not corroborated by three others who had accompanied him to bring the dinghy to Badhwar Park, Solkar argued.

Although Dhanu has given statement to police that he had handed over the dinghy to police at Badhwar Park, in the seizure panchnama of the boat this fact is not mentioned, Solkar said, adding, "all these instances create doubts in our mind on Kasab's landing at Badhwar Park by the dinghy".

--Agencies

Recommend	Twitter	Comments(0)
<<previous		next>>