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A doomed man from the start — eyewitnesses sealed his fate

Special Correspondent



The Yerwada jail in Pune, where Ajmal Kasab was hanged to death on Wednesday. Photo: Abhijit Patil

After secretly disposing of the bodies of nine 26/11 terrorists in January 2010, the Maharashtra government kept the hanging of the surviving gunman, Mohammed Ajmal Mohammed Amir Kasab, also under wraps.

Sentenced to death 18 months after his arrest, Kasab was a doomed man from the start. His trial began in April 2009, under tight security, at the special court headed by M.L. Tahaliyani in Mumbai. Speed seemed to be of the essence: after the charge sheet, running into 11,000 pages, was filed on February 25, 2009, the trial concluded on March 31, 2010.

Kasab is stated to be a Pakistani national, a resident of Faridkot village in Punjab's Okara district. Facing 86 charges, he was convicted on May 3, 2011, and three days later sentenced to death for waging war against India, murder and conspiracy, among other charges. His conviction was upheld by the Bombay High Court on February 21, 2011 and by the Supreme Court on August 29 this year. His mercy petition was forwarded to the President on September 16.

While sentencing, the trial judge concluded that there was no evidence of his suffering from mental or emotional disturbance; on the contrary, he appeared mentally prepared. On his own, Kasab went to the office of the Lashkar-e-Taiba (LeT) and offered to become a mujahid. Other factors convinced the judge of Kasab's guilt: the brutality of the offences and the depravity of his mind. The court rejected his plea that he was acting under his LeT mentors. The meticulous planning for the attack and the testimony of witnesses who narrated their tales of horror and brutality were crucial to his conviction. Eyewitnesses — children, photographers, policemen and survivors — all recounted their brush with death. Photos and evidence tendered by photographers Sebastian D'Souza and Sriram Vernekar, who saw Kasab spraying bullets at the Chhatrapati Shivaji Terminus (CST) and later leaving the railway station, sealed the terrorist's fate.

Mr. Tahaliyani said there were no words to explain the exceptional depravity seen in the initial stages of the commission of offence. When Kasab fired indiscriminately, it was without any regard; even children and women were killed.

Kasab was also sentenced to life imprisonment for attempt to murder under Section 307 of the Indian Penal Code, read with 109 for abetment, 120B for criminal conspiracy, 121A for conspiracy to wage war, 122 for collecting arms with intent to wage war, and Section 3 of the Explosive Substances Act. He was also fined under various other Sections of the IPC and the Arms Act.

Kasab wanted Urdu translation of the charge sheet since he could not read English. His first lawyer, Anjali Waghmare, was replaced by Abbas Kazmi; this led to a slight delay in the trial, which finally got off on April 17, 2009.

In 2008, Kasab wrote two letters in Urdu to the Pakistan High Commission, demanding a Pakistani lawyer. He also admitted to his role in the attacks and his training under the LeT. He named his handlers as Abu Hamza, Zakiur Rehman Lakhvi and Hafiz Saeed, and described his journey from Karachi and the attack strike at the CST. Furthermore, he wrote of the desire to see his co-assailant Abu Ismail buried in Pakistan. The letters were sent through

proper channels, but no response was forthcoming. After Abu Jundal was arrested recently, the two were brought face to face in August. Kasab is stated to have identified Jundal as one of the men who taught him Hindi.

His handwritten mercy petition was sent to the President on September 16, after the Supreme Court confirmed the death sentence.

Kasab was lodged in a Rs 5.25-crore high-security bulletproof cell in the Arthur Road Jail, which had a reinforced tunnel leading to the trial court. He was guarded round the clock by the Indo-Tibetan Border Police at a cost of more than Rs. 19 crore, and the State government and the Centre have been squabbling over who will meet the cost of the security.

Kasab died as quietly as he entered the country that fateful November night.

Keywords: [Ajmal Kasab](#), [26/11 Mumbai terror attacks](#), [Yerwada jail](#), [LeT](#)