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# Police staged encounter to implicate me: Ajmal Kasab

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Facing death penalty for his role in the killing of 166 people in the attacks, Kasab denied his presence at Chowpatty on the night of November 26, 2008.



Pakistani terrorist [Ajmal Kasab](#) today accused police of staging a fake encounter at Girgaum Chowpatty to falsely implicate him in the [26/11](#) attacks and told the [Bombay high court](#) that he had not killed constable Tukaram Ombale.

Facing death penalty for his role in the killing of 166 people in the attacks, Kasab denied his presence at Chowpatty on the night of November 26, 2008.

Lawyer Amin Solkar said prosecution had alleged that there was a scuffle between police and Kasab in which police snatched the rifle belonging to his client after he killed Ombale. A spot panchnama was drawn which showed that a rifle was found on the road near Skoda car in which Kasab was apprehended.

However, the weapon taken away by police from Kasab was not produced before the court, he argued.

The weapon found on the spot does not belong to Kasab and he is also not responsible for the murder of constable Ombale, Solkar argued.

Solkar, assisted by lawyers Farhana Shah and Santosh Deshpande, further argued that the weapon was "planted" at the spot by police to implicate Kasab in the crime.

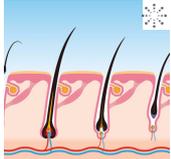


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The case of the prosecution is that Kasab and his partner Abu Ismael had snatched the rifle of police officer Ashok Kamathe after killing him and two other policemen. Then they sped towards Girgaum Chowpatty after hijacking a Skoda car.

A division bench of Justice Ranjana Desai and Justice RV More are hearing confirmation of death sentence awarded to Kasab by the trial court on May 6.

If Kasab had snatched Kamate's rifle and sped towards Chowpatty then how did police find empties of the same rifle at Oberoi hotel which witnessed a pitched battle between armed forces and terrorists, more so when the prosecution's case is that Kasab was not in Oberoi attacks, Solkar asked.

Solkar pointed out that reports of ballistic experts had revealed that four empties of Kamate's rifle were found on 18th floor of Oberoi hotel where four terrorists were engaged in a pitched battle with armed forces after the terror attacks.

All weapons and empties recovered from Oberoi hotel were sent to ballistic experts for their opinion. As empties of Kamate's weapon were found at the hotel, the rifle should also been found there. In that case, the police theory that Kasab had taken away the rifle in Skoda car was false, Solkar said.

Justifying his argument that the police encounter at Chowpatty was fake, Solkar said that injuries sustained by slain terrorist Ismail were on the left side of the body as mentioned in the post mortem report. However, police officer Bhaskar Kadam had told the trial court that he had fired at Ismail from the right side and the bullets had hit the target.

Another policeman, Hemant Boudhankar, also told the court that he had fired at Ismael from the rear side of the Skoda car in which he (Ismael) was seated, Solkar pointed out.

Both the witnesses told the court that they had fired three rounds each at Ismael but only two empties of their arms were found from the spot. Where was the third one, he asked.

Solkar said Ismail had received five entry and four exit wounds, implying that four bullets had come out of the body. However, no bullet was found in the Skoda car in which Ismail was seated, he said.

The court asked government counsel Ujjwal Nikam to explain the points raised by the defence lawyer.

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