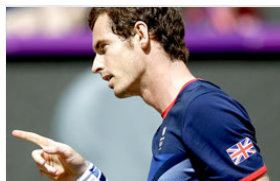




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# Delhi lawyer offers to defend Kasab

Kanu Sarma, IANS New Delhi, December 31, 2008

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Believing in the basic premise of justice and fairplay that every accused is entitled to the best defence, a Delhi lawyer says he is willing to fight for Ajmal Amir Kasab, the lone terrorist caught alive in the Mumbai attack.

M Shanwar Khan, who has successfully defended six people accused in terror-related cases, believes it is for the courts to decide whether a person is a terrorist or not.

"I believe in strengthening our legal system, so there is nothing wrong in defending Kasab. The court has to decide whether he is a terrorist or not, and till then he has a right to request for legal assistance," Khan told IANS.

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Khan, who is in his 30s and practises in the Patiala House lower courts in [New Delhi](#), is also fighting the cases of most of the accused in the September 13 Delhi terror bombings in which 26 people were killed.

"I have defended 20 people accused of being terrorists and have been successful in getting six of them acquitted. The rest of the cases are pending in various courts of Delhi," Khan said, adding that Section 20 and 203 of the Criminal Procedure Code (CrPC) of India says that an accused in India is entitled to the right to defence.

"If people like Dara Singh (convicted for the murder of Australian missionary Graham Staines), Lt Col Purohit, Sadhvi Pragnya (accused in Sep 29 Malegaon blast) and Nalini (serving life imprisonment for involvement in Rajiv Gandhi's assassination) can all be given legal aid, then why not Kasab?" he asked.

The right to defence, he asserted, is a constitutional and a natural one.

The dynamic lawyer, commonly known as "terrorist lawyer", is not the first to come forward to provide legal assistance to Kasab. Three weeks after the November 26-29 terror attack, four Mumbai lawyers had offered to represent the terrorist, believed to be from Pakistan, but were subjected to threats and their offices ransacked by Shiv Sena activists.

The Bombay Metropolitan Magistrate's Court Bar Association has also adopted a resolution that none of its members would defend or represent any offender involved in the Mumbai attack.

Khan started his practice nine years ago along with his father M Khan and says he has learnt a lot from him.

"People often misunderstand my father, but I know him as one of the finest lawyers and a good human being. He often fought cases without charging anything.

"He believed in the legal process and didn't discriminate between cases," said Khan of his late father.

Khan said that everyone, irrespective of the nature of crime a person is accused of, deserves to be defended in a court of law.

His list of clients include those accused of planting improvised explosive devices near the Border Security Force (BSF) headquarters and Sena Bhavan in the capital in 2002.

On what he feels about terrorism, Khan said: "I am also hurt when terrorists kill innocent people as they do in Delhi and Mumbai. Anyone who commits such acts of terrorism against our country must be given the harshest punishment."

"But that act of terrorism has to be established in the court of law," Khan added firmly.

The 26/11 Mumbai terror strike left over 170 people dead, including 26 foreigners. Ten terrorists were involved in the siege of the city that lasted 60 hours. Kasab was the only one caught alive.



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