
From Sentencing to Execution: Investigating Judicial Delays in Death Penalty Cases (April 2025)

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ABSTRACT The death penalty, as the severest form of punishment, has been a subject of intense debate globally, not only for its ethical implications but also for the procedural delays that follow its pronouncement. With a primary focus on the Indian legal system, this research article critically attempts to investigate the causes of delays in the application of the death penalty following a court's award. It explores into various factors contributing to these delays, including extensive appellate procedures, mercy petitions, bureaucratic inefficiencies, and societal opposition. Since the United States and India both support the death penalty and see it as an essential tool to combat the most serious crimes, a comparative study reveals the divergent strategies of Saudi Arabia and Western nations, especially the United States. The U.S. is a perfect place to compare procedural delays and their wider ramifications because of its streamlined procedures and set timelines, which frequently result in a more definitive execution of sentences or their commutation. In India, the death penalty is imposed under the "rarest of rare" doctrine, while in the U.S., it is reserved for crimes of extreme brutality. The study highlights the need for procedural improvements while delving deeper into the effects of these delays on the convicts, the relatives of the victims, and the general public's perception of justice. By analysing legal frameworks, case studies, and data on procedural timelines, this research aims to identify best practices that can mitigate unnecessary delays without compromising the principles of justice and human rights. The study concludes with recommendations for improving India's judicial and administrative processes to ensure a more efficient and equitable handling of capital punishment cases.

INDEX TERMS Capital Punishment, Death Penalty Delays, Judicial System, Human Rights.

I. INTRODUCTION

Capital punishment, commonly known as the death penalty, is the state-sanctioned execution of individuals convicted of the most grievous crimes. It has existed as a form of punishment since ancient times, with evidence of its application in early civilizations such as Mesopotamia, Egypt, and Greece. Historically, it was used as a means of retribution and deterrence, with crimes like murder, treason, and blasphemy often punishable by death. Over time, the application and justification of capital punishment have evolved, with contemporary societies debating its ethical, legal, and practical implications.

Punishment has been a cornerstone of society since ancient times, with the death penalty and exile serving as primary deterrents. Ancient scriptures and epics justified the death penalty as a means for rulers to protect society, with *DandNiti* focusing on deterrence and societal order. Even during Buddha's time, Ashoka upheld its fairness. Under the Mughal Empire, punishments were guided by Quranic laws, though Akbar advocated for its use only in extreme cases after careful

consideration. In British India, the death penalty was debated in 1931 when Shri Gaya Prasad Singh proposed its abolition, but the government firmly upheld it as necessary for maintaining law and order. Post-independence, India retained capital punishment as a legal recourse for the "rarest of rare" crimes, as established in the landmark case of *Bachan Singh v. State of Punjab* (1980).

Internationally, the debate surrounding the death penalty has been influenced by human rights frameworks such as the United Nations Charter, which underscores the dignity and worth of every individual. Documents like the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) advocate for the right to life and call for the abolition of the death penalty or its restriction to the most serious crimes. Additionally, protocols such as the Second Optional Protocol to the ICCPR, aim for the complete abolition of capital punishment, though its adoption remains uneven across countries.

The rights of prisoners, including those on death row, have also gained international attention. Instruments such as the UN

Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) emphasize humane treatment, regardless of the severity of their crimes. These treaties highlight the importance of ensuring fairness and dignity for all individuals, including those facing capital punishment. India, while not a signatory to the abolition protocols, retains the death penalty for "the rarest of rare cases," as established by the judiciary. This stance reflects a middle ground, balancing the demand for justice in heinous crimes with the recognition of human rights. However, India's retention of the death penalty raises critical issues, particularly the significant delays in its implementation after sentencing.

Such delays prompt a range of questions and concerns. Why does it take years or even decades for death sentences to be carried out? What are the implications of these delays on the psychological state of prisoners, who are often left in limbo for years? How does this impact the families of victims seeking closure, and to what extent does the burden of maintaining prisoners on death row fall on taxpayers? These delays call for a critical examination of India's judicial and administrative processes, as well as a comparison with global practices, to ensure that justice is both timely and equitable.

II. Chapter 1: Reasons for Delays in Death Penalty-

The death penalty, often framed as the ultimate form of justice for the gravest crimes, is riddled with systemic delays that extend the time between sentencing and execution to several years, sometimes decades. While the delays are justified as necessary safeguards to ensure fairness and prevent wrongful convictions, they also raise significant questions about human rights, the proportionality of punishment, and the efficacy of justice systems.

Once executed, there is no going back from the punishment in case of error. This is primarily the reason for providing multiple safeguards at various levels when the death penalty is imposed. However, discontent arises when the safeguards cause inordinate delay in providing justice.

A. Introducing the Problem-

The average time spent on death row in India is alarmingly high with many prisoners awaiting decisions of their appeals in the Supreme Court for over 10 years. This prolonged and tumultuous wait is not merely an administrative inconvenience but an experience of immense psychological and emotional suffering for prisoners. Delays subject death row inmates to what can be termed as "living death," making the punishment far harsher than intended. It is a matter of concern as it took 8 years for the convicts to be hanged in the 2012 Delhi Nirbhaya Case (gang rape case).

It takes a mental and emotional toll on the death row inmates as they often oscillate between hope and despair. It also violates the fundamental principles of human dignity and the prohibition of cruel, inhuman, and degrading treatment, as enshrined in international human rights frameworks like the Universal Declaration of Human Rights (UDHR) and the

International Covenant on Civil and Political Rights (ICCPR). It also raises questions about the proportionality of the death penalty itself, as the prolonged uncertainty exacerbates the suffering far beyond the legal mandate.

B. Reasons for Delays in Execution of Death Penalty-

The delays in capital punishment arise from a mix of legal, procedural, and systemic issues. India has a multi-tiered judicial system where there is proper hierarchy of courts allowing layers of appeals from the High courts, Supreme Court and mercy petitions to the Governors and the President. While such steps are taken to safeguards and prevent miscarriages of justice, they often result in prolonged delays. Death penalty cases involve mandatory confirmation by High Courts and discretionary appeals to the Supreme Court. Review and curative petitions further add layers of scrutiny, ensuring fairness but prolonging incarceration. Even the supreme court has recognized prolonged incarceration as a ground for commutation. In the *Shatrughan Chauhan v. Union of India (2014)*, the Court held that unexplained delays in deciding mercy petitions violate Article 21 (Right to Life). Delays are often seen as contributing to torture, which goes against constitutional principles. Review petitions is a request made to the same court that passed the original judgment, asking it to re-examine its decision. It is filed under Article 137 of the Indian Constitution. In death penalty cases it is filed by the convict as a safeguard against judicial errors. A curative petition is a further safeguard introduced by the Supreme Court to address grievances if a review petition has been dismissed. It is an extraordinary remedy used only in rare and exceptional circumstances. A last resort for death penalty convicts seeking judicial intervention after exhausting all other legal remedies. It was established by the Supreme Court in *Rupa Ashok Hurra v. Ashok Hurra (2002)*, case. A mercy petition is an appeal made to the President of India or the Governor of a state under Articles 72 and 161 of the Constitution, respectively, seeking clemency or a commutation of the death sentence.

There are administrative inefficiencies where there is poor coordination between executive, legislative and judiciary contributing significantly to the delays. Public and political influence can also lead to serious delays. High profile cases often attract public and political scrutiny which can stall the decision-making process. Cases like Mumbai terror attack (Ajmal Kasab), the Parliament terror attack convict Afzal Guru, Yakub Memon case, Nirbhaya Case (2012) etc attract a lot of public scrutiny. This scrutiny can lead to delays, inconsistencies, or decisions driven by external pressures rather than objective legal reasoning. The "rarest of rare" doctrine is a judicial principle developed in India to restrict the application of the death penalty to the most exceptional and heinous crimes. It balances the constitutional protection of the right to life (Article 21) with the provision for capital punishment under due process of law. Established in the landmark case of *Bachan Singh v. State of Punjab (1980)*, this

doctrine continues to guide courts in determining whether the death penalty is justified. The “rarest of rare” doctrine, meant to guide sentencing, has been inconsistently applied, leading to judicial arbitrariness. International human rights bodies have criticized the doctrine for its subjectivity, raising concerns about the arbitrary imposition of the death penalty.

C. Human Rights Concern-

The death penalty raises significant human rights issues, particularly in the context of delays, conditions on death row, socio-economic biases, and the psychological impact on prisoners and their families. These concerns revolve around the principles of human dignity, proportionality of punishment, and the right to life, which are fundamental to both national and international human rights frameworks. Prisoners are enduring severe psychological distress including depression, anxiety and suicidal ideation. Prolonged incarceration on death row is equated with mental and emotional torture, violating international human rights standards. There are many international forums which grants the citizens basic human rights and the forums include Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR). Over 80% of prisoners reported physical and psychological torture during police custody, with methods ranging from beatings to electric shocks, violating constitutional safeguards. 74.1% of death row prisoners in India belong to economically vulnerable backgrounds, with disproportionate representation from Scheduled Castes, Scheduled Tribes, and religious minorities. Poverty, illiteracy, and lack of access to competent legal representation place marginalized individuals at a systemic disadvantage. 76% (279 prisoners) of prisoners sentenced to death in India are backward classes and religious minorities. While the purpose is certainly not to suggest any causal connection or direct discrimination, disparate impact of the death penalty on marginalised and vulnerable groups must find a prominent place in the conversation on the death penalty. While the proportion of Scheduled Castes/Scheduled Tribes (SC/ STs) amongst all prisoners sentenced to death in India is 24.5%, that proportion is significantly higher in Maharashtra (50%), Karnataka (36.4%), Madhya Pradesh (36%), Bihar (31.4%), Jharkhand (30.8%) and Delhi (26.7%), amongst states with 10 or more prisoners sentenced to death. Religious minorities comprised a disproportionate share of the prisoners sentenced to death in Gujarat, Kerala and Karnataka. In Gujarat, out of the 19 prisoners sentenced to death 15 were Muslims (79%), while 60% of the prisoners sentenced to death in Kerala were religious minorities (five Muslims and four Christians amongst 15 prisoners sentenced to death). Of the 45 prisoners sentenced to death in Karnataka, 31.8% were religious minorities (10 Muslims and four Christians). Many prisoners lack awareness of their legal rights, further delaying their ability to seek relief. 23% of prisoners sentenced to death had never attended school. A further 9.6% had barely attended but had not completed even their primary school education.

Amongst the states with a substantial number of prisoners on death row, Bihar (35.3%) and Karnataka (34.1%) had the highest proportion of prisoners who had never attended school. Death row prisoners often oscillate between hope and despair i.e. hope for appellate relief and despair when decisions are delayed indefinitely. The victim’s families also often experience delayed closure, prolonging their trauma and eroding their faith in the justice system.

D. Questions Raised by the Delays-

All these systematic delays in death penalty cases prompt many questions in the minds of the people. These delays not only prolong the suffering of death row inmates but also undermine the purpose of the death penalty itself, which is often argued as a means of delivering swift and decisive justice. There are many questions raised by the delays including:

Is prolonged wait amount to torture? Is the death penalty compatible with justice? Delays place a significant burden on taxpayers, who fund the extended imprisonment and legal processes. Delays in the implementation of capital punishment raise critical concerns about the integrity, efficiency, and humanity of the justice system. These delays not only prolong the suffering of death row inmates but also undermine the intended purpose of the death penalty as a swift and decisive instrument of justice. The excessive time prisoners spend on death row often leads to severe psychological and emotional torment, referred to as the “death row phenomenon,” which has been criticized as cruel, inhuman, and degrading treatment under international human rights frameworks such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Furthermore, the prolonged wait diminishes the deterrent effect of the death penalty, as the connection between the crime and punishment weakens over time, rendering it ineffective as a tool for crime prevention. These delays also challenge the principle of proportionality in sentencing, as the psychological suffering caused by years of uncertainty often exceeds the severity of the crime itself. The impact of these delays extends beyond the prisoners, deeply affecting their families, who endure long periods of emotional and financial distress, and the families of victims, who are denied closure as they wait for justice. Additionally, systemic inequities in the administration of the death penalty disproportionately affect marginalized groups, as many death row prisoners come from economically vulnerable and socially marginalized backgrounds, lacking access to quality legal representation. The absence of statutory timelines for judicial appeals and mercy petitions further exacerbates these delays, highlighting the inefficiencies in India’s judicial and administrative systems. Maintaining death row inmates over extended periods also imposes a significant financial burden on the state and taxpayers, raising questions about the economic viability of the death penalty compared to alternatives like life imprisonment. These delays not only

erode public trust in the justice system but also fuel the ethical debate over whether the death penalty can continue to exist in a modern legal framework, given its inability to be administered efficiently and humanely. Addressing these challenges requires urgent reforms to ensure timely justice and uphold the fundamental principles of fairness and human dignity.

III. Chapter 2: Legal Framework in India and Other Countries

A. Legal Framework and Statutory Provision in India-

In India, there are two ways to put someone to death: Hanging and Shooting. In India, hanging is used to carry out all death sentences. In the Mahatma Gandhi case, Godse was the first person to get the death penalty after the country gained its freedom. Apex Court proposed that the death sentence be used in India only in the rarest of situations. Both hanging and gunshot are recognized as acceptable methods of death in the military court-martial system under the terms of the 1950 Army Act. According to the Capital Punishment and Its Relevancy in Modern Indian Society by Navdeep Kadian's research paper; The Indian Penal Code of 1860 covers various offences punishable by death. They are discussed as under-

1. Anyone who makes an effort to wage war against India or is successful in doing so could receive the death penalty.
2. Anyone who commits or aids in the commission of a mutiny by one of these individuals so that mutiny will be committed as a result of their aid and assistance can be put to death.
3. Falsifying evidence is punished by the death penalty if done in order to get a conviction for a crime that carries the death penalty. An individual who commits such a crime may be put to death.
4. Murderers are subject to the death penalty.
5. Anyone helping or encouraging a minor or a person with intellectual disabilities to commit suicide is subjected to the death penalty.
6. The crime of kidnapping someone with the intent to hurt or kill could get executed.
7. For rapes that leave the victim dead or in a persistent vegetative state.
8. Repeat rape offenders
9. Murder and dacoity

The offences and crimes which are punishable by death are serious murder as according to the Act of 1860, it is a capital offence. Apex Court ruled that death sentence is only constitutionally permissible when meted out as an unusual punishment in "the rarest of the rare" circumstances. Other crimes that result in death include a person who murders someone while engaging in an armed robbery is subject to the death penalty under the Indian Criminal Code. Participation in organized crime is punished by death if it results in death. Any particular category of explosive that is used to set off an explosion that poses a risk to life or significantly damages property is punishable by death.

According to the Criminal Law Act of 2013, anyone who causes harm in a sexual assault that leads in death or leaves the victim in a "persistent vegetative condition" may be executed. The death penalty is applied to gang rapes. A person who is found guilty of raping a girl who is younger than 12 years old may receive a death sentence or a 20-year prison term combined with a fine, according to the 2018 Criminal Law Ordinance. The 2018 amendment additionally includes the death penalty or life in prison for an under-12-year-old girl who is raped in a group. Kidnapping that does not end in death is an offence that is punishable by death. A person who is found guilty of committing, attempting to commit, aiding, or conspiring in any of a number of drug trafficking offences, or financing the use of specific types and quantities of narcotic and psychoactive drugs, may get the death penalty. A person who participates in a criminal conspiracy to commit a capital offence faces the death penalty. Attempts to murder persons who have been given a life sentence are punishable by death if the victim is wounded. Anyone who gives testimony knowing that it could convict someone from a scheduled caste or tribe for committing a capital offence on the basis of that testimony will face the death sentence.

The following are the persons exempted from capital punishment-

1. Minor: According to the law in India, a minor who is under the age of 18 at the time of committing a crime is not executed.
2. Pregnant Women: Clemency must be granted to a pregnant woman sentenced to death according to a 2009 amendment.
3. Intellectually Disabled: According to IPC, a person while committing a crime who was mentally ill or is not able to understand the nature of the act or the act is wrong, then that person can be held liable under the law and can be punished with the death penalty.

B. Legal Framework in Saudi Arabia-

Saudi Arabia is known to be one of the world's most deadly executioners. Between 2010- 2021, at least 1,243 people were executed. In 2022, at least 147 people were executed. The six bloodiest years of executions in Saudi Arabia's recent history have all occurred under the leadership of Mohammed bin Salman and King Salman (2015, 2016, 2017, 2018, 2019 and 2022). From 2015-2022 (King Salman came to power in 2015) there was an average of 129.5 executions per year – that's a rise of 82%. The following offences and crimes are punishable by death: It shows that between 2010 and 2021, the types of crimes resulting in executions could be classified into the following groups:

1. Murder
2. Drugs trafficking, including smuggling
3. Sexual offences
4. Formation of, or membership with, an organised criminal group or proscribed group
5. Kidnapping or false imprisonment accompanied by assault, burglary or robbery

6. Sedition, treason and other state security offences
7. Witchcraft and sorcery

C. Legal Framework in United States of America-

The United States legal framework is a complex system rooted in federalism, wherein authority is divided between the federal government and individual states. Each state has its own legal system, but they all operate within the boundaries of the U.S. Constitution. This interplay creates a diverse legal landscape across the nation. There are two types of legal systems i.e. federal legal system and state legal system. Federal laws are created by Congress and apply uniformly across all states whereas each of the 50 states has its own constitution, legislature, executive, judiciary.

Procedure in Texas:

The death penalty in Texas is one of the most active and well-documented processes in the United States. In Texas, the district courts have original jurisdiction for all criminal felony cases. If an individual is convicted of a capital felony, he or she may be subject to punishment by death, if the State sought such punishment. A capital felony is one in which an individual "intentionally or knowingly causes the death of an individual," under special circumstances. In particular, the:

1. murder of a public safety officer or firefighter in the line of duty;

2. murder during the commission of specified felonies (kidnapping, burglary, robbery, aggravated rape, arson);

3. murder for remuneration;

4. multiple murders;

5. murder during prison escape;

6. murder of a correctional officer;

7. murder of a judge;

8. murder by a state prison inmate who is serving a life sentence for any of five offenses;

9. murder of an individual under six years of age.

In Texas, a person must be of at least 18 years of age at the time of the crime to have the death penalty imposed upon him or her. The current method of execution is **lethal injection**, which replaced earlier methods such as electrocution. The specifics are as follows:

1. Drug Protocol: Texas currently uses a single-drug protocol involving pentobarbital. This method was adopted after issues arose with the availability of multi-drug protocols.

2. Execution Location: Executions are carried out at the Huntsville Unit, commonly known as "The Walls Unit," in Huntsville, Texas.

3. Historical Context: Texas used to hang until 1924, when it transitioned to electrocution. Lethal injection became the primary method starting in 1982, with the execution of Charles Brooks Jr., the first person executed by lethal injection in the U.S.

IV. Chapter 3: Comparative Study between the Three Countries

A comparative analysis of the death penalty in India, the United States, and Saudi Arabia reveals significant differences in legal frameworks, application, and human rights considerations.

A. Legal Framework and Application-

1. India: The prison system operates under the Department of Justice and Ministry of Home Affairs. The death penalty is reserved for the "rarest of rare" cases, primarily involving heinous crimes such as murder and terrorism. The Indian judicial system allows for multiple appeals, including mercy petitions to the President, review and curative petitions which can lead to prolonged delays in execution. As of December 2024, there is an ongoing debate about the efficacy and morality of capital punishment in India. The total number of prisoners in India are 5,73,220 and overcrowding is a major issue with prison densities exceeding capacity in most facilities.

2. United States: The system is decentralized, with responsibilities divided between federal, state, and local authorities. Capital punishment is legal in 27 states, with each state having its own legal standards and procedures. The federal government also retains the death penalty for certain crimes. The appeals process is extensive, often resulting in inmates spending years or even decades on death row. The U.S. has faced criticism for the disproportionate application of the death penalty among marginalized communities. The total number of prisoners are around 1,808,100 and approximately 2,400 inmates are waiting for the execution and many over 10-20 years.

3. Saudi Arabia: The system is governed by the Ministry of the Interior and operates under Islamic Sharia law. The death penalty is applied for a broad range of offenses, including murder, drug-related crimes, and acts deemed as apostasy or sorcery, in accordance with Sharia law. Executions are often carried out publicly, and the legal process has been criticized for lack of transparency and due process. As of December 2024, Saudi Arabia continues to have one of the highest execution rates globally. The total number of prisoners are 68,056 and swift execution mean death row inmates spend little time awaiting their sentences compared to USA and India.

B. Human Rights Consideration-

1. India: Concerns have been raised about the lengthy delays in the execution process, leading to psychological trauma for inmates. Additionally, studies indicate that individuals from economically and socially marginalized backgrounds are disproportionately represented on death row. Overcrowding and poor living conditions violate international prison standards.

2. United States: The U.S. has faced scrutiny over issues such as racial bias in sentencing, the execution of individuals with intellectual disabilities, and the use of lethal injection protocols. The prolonged duration on death row has been argued to constitute cruel and unusual

punishment. Issues like racial disparities and wrongful convictions exacerbate human rights concerns.

3. Saudi Arabia: Human rights organizations have criticized Saudi Arabia for the lack of fair trial standards, the use of torture to extract confessions, and the execution of individuals for non-violent offenses. The public nature of executions has also been condemned as a violation of human dignity.

C. Death Penalty Practices-

1. India: Retains the death penalty but executes sparingly. High-profile cases such as the Nirbhaya gang rape case highlight the use of capital punishment, but delays in judicial and executive decision-making often lead to years of uncertainty for death row prisoners.

2. United States of America: Although the death penalty remains legal, it is highly debated and abolished in 23 states. Prolonged appeals and legal reviews aim to prevent miscarriages of justice but lead to significant delays. Execution methods include lethal injection and, in rare cases, electrocution or firing squads.

3. Saudi Arabia: The death penalty is implemented frequently and swiftly. Public executions are common and serve as a deterrent. However, the system has been criticized for a lack of transparency, fair trial guarantees, and the execution of individuals for non-violent crimes.

D. Recent Developments-

1. India: Human rights abuses and the risk of judicial mistake are the arguments on which the increasing momentum for abolition of the death sentence rests. Yet, as of December 2024, it continues to be actively practised.

2. United States of America: Some states have halted executions or are planning to abolish the death penalty. With increasing support for life in prison without the possibility of release as an option, public sentiment is progressively changing.

3. Saudi Arabia: The death sentence is still applied in Saudi Arabia in spite of criticism from other countries. The kingdom announced changes in 2019 to restrict the use of the death penalty for specific crimes, but as of December 2024, the changes had little effect.

E. Conclusion-

The intricacies and disputes surrounding the death penalty in Saudi Arabia, the US, and India are brought to light by the comparative study. Every nation has different legal practices and deals with different human rights issues. The emphasis on human rights and the worldwide trend towards abolition continue to shape discussions and laws pertaining to the death penalty in these countries.

V. Chapter 4: Conclusion

The journey from sentencing to execution in death penalty cases in India reveals critical inefficiencies and systemic challenges that undermine the principles of timely and

equitable justice. Administrative bottlenecks, lengthy appellate procedures, and ineffective mercy petition processing lead to judicial delays where death row inmates spend more time in prison than necessary, which has a devastating impact on their mental health. These delays disproportionately affect marginalized communities, highlighting deep-rooted socio-economic biases in the administration of capital punishment. Furthermore, the prolonged timeline raises ethical and human rights concerns, challenging the very legitimacy of the death penalty in a modern democracy.

While India retains the death penalty for the “rarest of rare” crimes, the inconsistency in its application and the inordinate delays in its execution erode public confidence in the justice system. The inability to ensure timely justice not only exacerbates the suffering of death row inmates but also denies closure to victims' families, further compounding the societal costs of these delays. This research underscores the urgent need for systemic reforms to address these inefficiencies and ensure that justice is delivered fairly, humanely, and promptly.

There are certain reforms and suggestions which can be implemented in order to swift the process of death penalty in India. These include:

1. Statutory Timelines for Appeals and Mercy Petitions: Introduce mandatory timelines for appellate processes, including reviews, curative petitions, and mercy pleas. Statutory deadlines will ensure accountability and reduce prolonged uncertainty for prisoners and their families.

2. Specialized Death Penalty Benches: Establish dedicated benches in High Courts and the Supreme Court to handle death penalty cases, ensuring consistency, speed, and expertise in adjudication.

3. Reform the Mercy Petition Process: Set a deadline for the President and Governors to decide on mercy petitions. To avoid needless delays, make the decision-making process more transparent.

4. Strengthen Legal Aid and Representation: Ensure access to competent legal representation for all death row prisoners, particularly those from economically and socially marginalized backgrounds. Encourage seasoned solicitors to embark on death sentence cases by providing training for public defenders.

5. Improve Prison Conditions: The Nelson Mandela Rules and other international human rights norms should guide the treatment of death row inmates, guaranteeing them access to healthcare, mental health support, and humane conditions.

6. Address Socio-Economic Biases: Recognize and mitigate the overrepresentation of marginalized communities on death row through targeted policy interventions. Conduct socio-economic assessments during sentencing to ensure fairness and equity.

7. Public Awareness and Dialogue: Initiate public discussions about the ethical and practical implications of the death penalty. Encourage conversations

around life imprisonment as a viable alternative to capital punishment.

India's judicial delays in death penalty cases highlight the pressing need for a balanced approach that safeguards justice while ensuring efficiency. While reforms in the legal and administrative processes can mitigate existing issues, the country must also reflect on whether the death penalty remains a just and humane form of punishment in the 21st century. By prioritizing fairness, transparency, and human dignity, India can take significant steps toward a justice system that is equitable for all.

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