

News

Despite the Supreme Court's order to expedite the case, a murder offender passes away after nine years of waiting for an appeal hearing.



A few months before to the convict's death, one of the victims' fathers also passed away while the appeal was pending.

Nine months after the Supreme Court had hoped that the Bombay High Court would make a decision within three months, a murder convict who had been awaiting the hearing of his appeal since 2016 passed away.

On May 5, 2016, a trial court found four people guilty of killing two young people,

Keenan Sentoz and Ruben Fernandes, and sentenced them to life in prison: Jitendra Fakirchand Rana alias Chaina, Satish Nafeshing Dulgaj, Sunil Omprakash Both @ Chota, and Deepak Ishwar Omprakash Piwal.

In addition, Chaina and Dulgaj were convicted of abusing a friend of the slain victims.

According to the criminals' attorney, Dulgaj died this week after spending more than 14 years behind bars.

In September 2017, the High Court accepted his 2016 appeal against the conviction.

Even though the High Court had mandated that his and other convicts' appeals be listed for a final hearing in September 2021, later orders show that the case was postponed on the majority of those days.

The instances' specifics are just as terrible as the wait.

A group of seven people, including three young women, went to a bar to watch a cricket match in October 2011. This incident is the subject of the case. The accused sexually attacked one of the women during the evening. The accused males fled the area after the male companions challenged them and slapped one of them, but they subsequently returned with knives and a wooden stick. They attacked the gathering and stabbed two of the woman's companions, who subsequently passed away from their wounds.

In 2016, Chaina, Dulgaj, Omprakash, and Piwal appealed their convictions to the Bombay High Court.

Dulgaj's appeal will cease to exist after his passing unless his family decides to continue it on his behalf. On March 25 of this year, the father of one of the deceased also passed away while the appeals were pending.

Despite the Supreme Court's directives for a prompt resolution, the case has been delayed. Chaina, one of the principal offenders, has twice petitioned the Supreme Court to have his sentence suspended.

The supreme court declined to offer him any relief "notwithstanding his incarceration for over ten years" in August 2023 after considering the case's facts and the appeal's pending status.

Last year, Chaina made another attempt to reach the highest court. The Supreme Court requested the High Court to consider his appeal as soon as possible, ideally within three months, in an order issued on March 18 of this year.

"We anticipate that the High Court will make every effort to ensure that the criminal appeal of the petitioner of the year 2016 be taken up for consideration most expeditiously, preferably within a period of three months, given the facts and circumstances of the case and the fact that the appeal is of the year 2016 and was listed for consideration," the top court had ordered.

The High Court's orders show that it was aware of the length of time it took to decide appeals. A Division Bench consisting of Justices Revati Mohite Dere and Dr. Neela Gokhale issued the following order on March 25:

"In accordance with the order issued by the Apex Court on February 18, 2025, the aforementioned appeals are listed under the caption of Directions for fixing date of hearing." Currently, on Monday, Tuesday, and Wednesday, we have over 100 cases for admittance, and on Thursday and Friday, we have between 70 and 80 cases, which are the cases from the Original Side. We take up the aforementioned appeals at 4:00 pm for the last hearing on Monday, Tuesday, and Wednesday since in certain situations the accused have been incarcerated for more than 12 to 15 years. In addition, we have a Confirmation Appeal for the final hearing. In light of the aforementioned, schedule a final hearing on April 30, 2025, at 2:30 p.m.

After State counsel requested time to hire a senior counsel in the case, a bench of Justices Sarang V. Kotwal and Shyam C. Chandak postponed the case for 14 days on July 2. This came after one of the deceased's brothers asked the government to choose a Senior Counsel to serve as the case's Special Public Prosecutor.

On that day, the Court granted the adjournment and stated,

We are also highlighting the fact that the Hon'ble Supreme Court is expediting the

appeal. The matter will not be postponed needlessly for an inordinate amount of time, and the learned APP and the learned Counsel for the Intervenor are explicitly instructed to take immediate action.

On August 12, however, the case was once more postponed "by consent." Appeals were mandated to be posted on November 10 "for directions for fixing date of hearing," according to the most recent ruling dated October 10.

The orders also show that the appeal was repeatedly moved from one bench to another throughout this time.