

17 Indians Re-Arrested in Sharjah

The case of 17 Indians, whose death sentence for killing a Pakistani man had been commuted following a record blood money payment of approx 1Million US\$ are back under the scanner, their cases mounting.

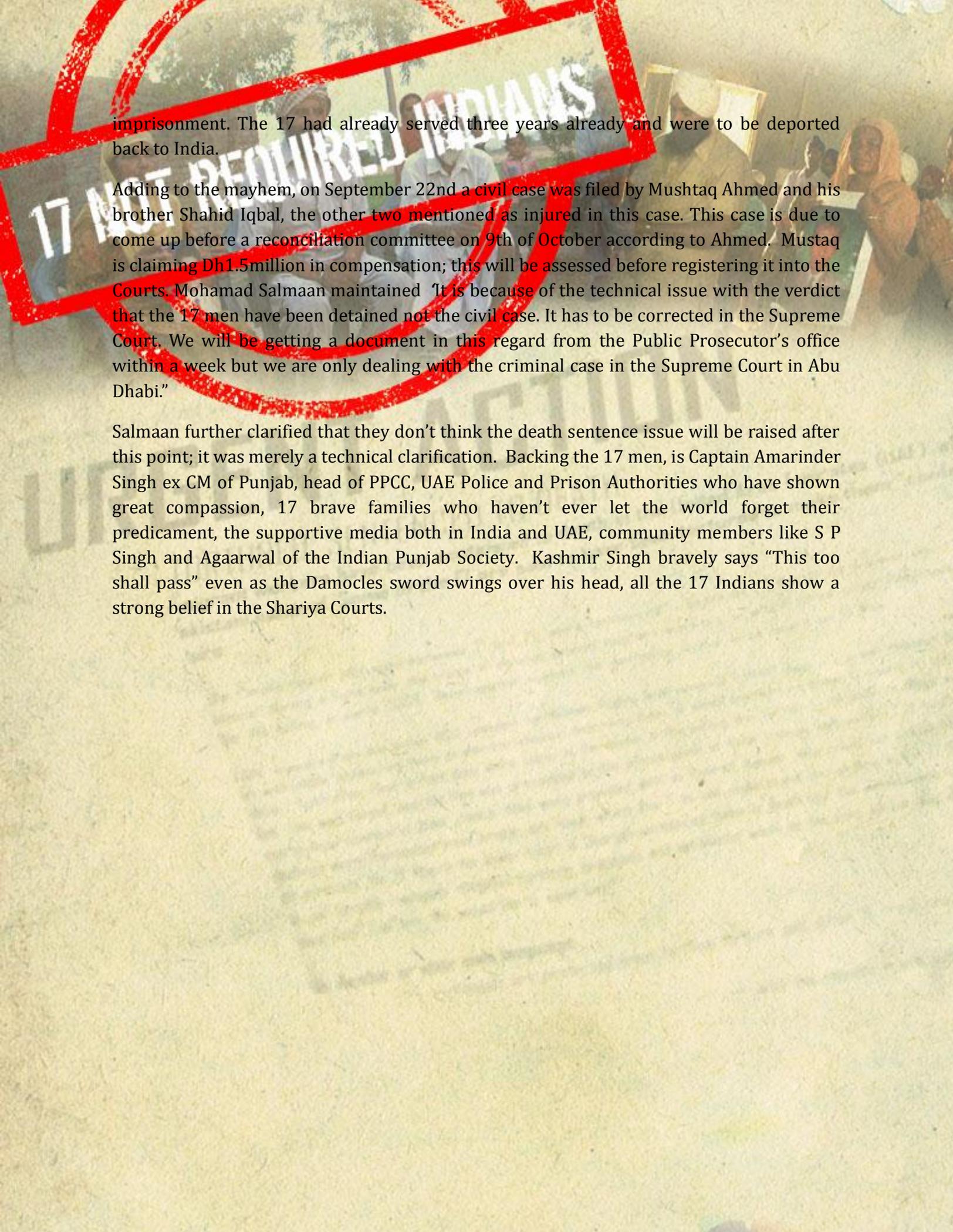
By Soniya Kirpalani

Collecting their out passes, cleared of all charges, packed and ready to leave, after having languished in Sharjah Out-Jail for seven days since the time the Appellate Court of Sharjah had pardoned them on September 12th, the 17 Indians counted every moment to their departure. Formalities slowed down them down, the Indian Consulate informed them they would leave on 24th September. On Thursday Sept 22nd when I walked into Out Jail everything seemed normal. As usual, the officials gave us the Warden's Room to sit down for a meet-greet. As the 17 strolled out in track suits, it was the first time I saw them with their turbans on; their heads held high, their voice filled with elation as they tagged their minimal luggage along.

They had been asked to carry it out for some reason; between confusion and cheer, we were trying to figure out what was happening. It was then that a gentleman from Indian Consulate asked me to step outside. He politely informed that a mere 'technical issue' had delayed their departure; hastily insisting that the Consul General and S P Singh were actively 'solving the issues'. The Sharjah Police officers were more forthcoming; apparently there were issues with the case, as three other men mentioned in the case remain uncompensated. This meant that the 17 had would have to remanded back into custody at the Sharjah Central Jail.

Shocked in disbelief, I walked back, face was filled with tears; this was their worst fear realized. Sunny aka Arvinder and Sukhjot, the youngest had tears in their eyes, yet all were grace under fire. A huge task lay ahead of informing the 17 families of this sudden twist; the families had been counting every second to their return. Sharjah Jail Authorities gave them adequate time to make calls to their close ones and were extremely courteous, but it was a heart wrenching sight to see walk back to their cells, head bowed down. Kashmir Singh said "We spent 3 years on death row and were brave, now we will fight this too." Dharmpal Singh Sandhu added "The Courts here are fair, we will be out soon."

Rumors were rife as Courts went into a weekend break leaving a cacophony of voices and comments. On Sept 25th-when the Courts commenced Mohamed Salmaan, the defense lawyer appointed by the Indian Embassy for the 17, approached the Directorate of Public Prosecution and was informed that the previous verdict given by the Appellate Court would now be referred to the Supreme Court as an error had been committed. Apparently there had been no consideration given to the four other men mentioned as 'injured'. The September 12th judgment had revoked the death sentence after Dh3.4 million 'Blood Money' payment was made to Misri Khan, the deceased victim, whose family then pardoned the 17; this commuted their sentence down to a two-year



imprisonment. The 17 had already served three years already and were to be deported back to India.

Adding to the mayhem, on September 22nd a civil case was filed by Mushtaq Ahmed and his brother Shahid Iqbal, the other two mentioned as injured in this case. This case is due to come up before a reconciliation committee on 9th of October according to Ahmed. Mustaq is claiming Dh1.5million in compensation; this will be assessed before registering it into the Courts. Mohamad Salmaan maintained 'It is because of the technical issue with the verdict that the 17 men have been detained not the civil case. It has to be corrected in the Supreme Court. We will be getting a document in this regard from the Public Prosecutor's office within a week but we are only dealing with the criminal case in the Supreme Court in Abu Dhabi.'

Salmaan further clarified that they don't think the death sentence issue will be raised after this point; it was merely a technical clarification. Backing the 17 men, is Captain Amarinder Singh ex CM of Punjab, head of PPCC, UAE Police and Prison Authorities who have shown great compassion, 17 brave families who haven't ever let the world forget their predicament, the supportive media both in India and UAE, community members like S P Singh and Aagarwal of the Indian Punjab Society. Kashmir Singh bravely says "This too shall pass" even as the Damocles sword swings over his head, all the 17 Indians show a strong belief in the Shariya Courts.