



## 17 Indians on Death Row in UAE Return Home

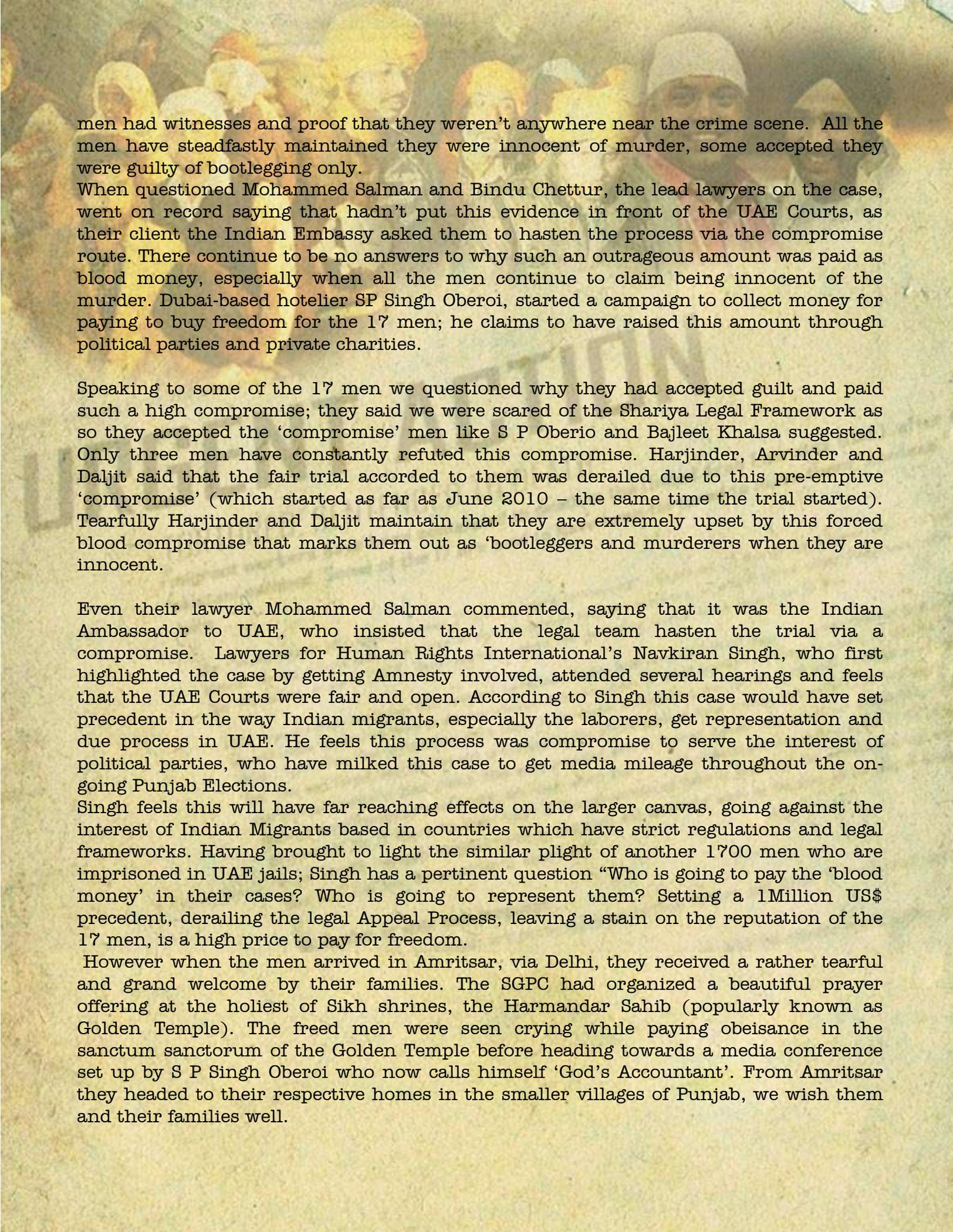
By Soniya Kirpalani

NEW DELHI: Seventeen Indians, who were on death row in UAE for murdering a Pakistani national, Misri Khan, were freed and returned to their homes in Punjab. Sukhjinder Singh, Sukhjot Singh, Ram Singh, Arvinder Singh, Baljeet Singh, Daljeet Singh, Dharampal Singh, Satgur Singh, Satnam Singh, Kashmir Singh, Suban, Kulvinder Singh, Kuldeep Singh, Sukhjinder Singh, Navjyot Singh, Harjinder Singh and Taranjit Singh, heaved a sigh of relief when their Air India 996 flight took off from Dubai and landed in Delhi.

It has been touch and go for these men ever since they had been on death row 2009 Jan. They were given clemency in Sept 2010, by a Sharjah court after paying blood money of over Rs.5.5 crore (approximately 1Million US\$) to the victim's family in keeping with the Islamic Laws. This law deems that if the victim's family pardons the accused, the Courts can grant a pardon. But by accepting this 'blood money compromise' the men accept they are guilty of the victim's murder and bootlegging, but have appeased the victim's family with a payoff; in this case it was an unprecedented amount.

Though the 17 men were freed on Sept 21st 2010, a delay in bringing them back to India resulted in their re-arrest on Sept 26th, when another victim of the same crime, Mustaq Ahmed. Ahmed used the interim period to filed a separate case, claiming 1.5Million AED (Approx 400000.00 US\$) for him and his brothers who were injured in the same crime. He levied a travel ban on the 17men, who remained in prison for close to 1.5 years fighting his outrageous claim. The Civil Courts only allocated 25000.00 US\$ for all the injuries sustained earlier in Feb 2013. Mustaq was forced to accept this amount and the ban was lifted.

After the death sentence was pronounced, the Indian government appointed five lawyers to file an appeal for the 17 Indians. The process was open and the men found support in both local and international media and Lawyers for Human Rights who were allowed to attend the open Court hearings. With no DNA proof, no evidence and lone witness Mustaq Ahmad turning hostile (saying he couldn't identify any of the 17men), the case seemed to be in the favor of the 17 men. Furthermore some of the



men had witnesses and proof that they weren't anywhere near the crime scene. All the men have steadfastly maintained they were innocent of murder, some accepted they were guilty of bootlegging only.

When questioned Mohammed Salman and Bindu Chettur, the lead lawyers on the case, went on record saying that hadn't put this evidence in front of the UAE Courts, as their client the Indian Embassy asked them to hasten the process via the compromise route. There continue to be no answers to why such an outrageous amount was paid as blood money, especially when all the men continue to claim being innocent of the murder. Dubai-based hotelier SP Singh Oberoi, started a campaign to collect money for paying to buy freedom for the 17 men; he claims to have raised this amount through political parties and private charities.

Speaking to some of the 17 men we questioned why they had accepted guilt and paid such a high compromise; they said we were scared of the Shariya Legal Framework as so they accepted the 'compromise' men like S P Oberio and Bajleet Khalsa suggested. Only three men have constantly refuted this compromise. Harjinder, Arvinder and Daljit said that the fair trial accorded to them was derailed due to this pre-emptive 'compromise' (which started as far as June 2010 – the same time the trial started). Tearfully Harjinder and Daljit maintain that they are extremely upset by this forced blood compromise that marks them out as 'bootleggers and murderers when they are innocent.

Even their lawyer Mohammed Salman commented, saying that it was the Indian Ambassador to UAE, who insisted that the legal team hasten the trial via a compromise. Lawyers for Human Rights International's Navkiran Singh, who first highlighted the case by getting Amnesty involved, attended several hearings and feels that the UAE Courts were fair and open. According to Singh this case would have set precedent in the way Indian migrants, especially the laborers, get representation and due process in UAE. He feels this process was compromise to serve the interest of political parties, who have milked this case to get media mileage throughout the on-going Punjab Elections.

Singh feels this will have far reaching effects on the larger canvas, going against the interest of Indian Migrants based in countries which have strict regulations and legal frameworks. Having brought to light the similar plight of another 1700 men who are imprisoned in UAE jails; Singh has a pertinent question "Who is going to pay the 'blood money' in their cases? Who is going to represent them? Setting a 1 Million US\$ precedent, derailing the legal Appeal Process, leaving a stain on the reputation of the 17 men, is a high price to pay for freedom.

However when the men arrived in Amritsar, via Delhi, they received a rather tearful and grand welcome by their families. The SGPC had organized a beautiful prayer offering at the holiest of Sikh shrines, the Harmandar Sahib (popularly known as Golden Temple). The freed men were seen crying while paying obeisance in the sanctum sanctorum of the Golden Temple before heading towards a media conference set up by S P Singh Oberoi who now calls himself 'God's Accountant'. From Amritsar they headed to their respective homes in the smaller villages of Punjab, we wish them and their families well.