

## Research Paper on Death Penalty | India (13577 Words)

By Pragati Ghosh

### Research Paper on Death Penalty (Capital Punishment, 13577 Words)

The magistracy has more often than not, used Section 354(3) of the Code of Criminal Procedure to justify its stand either in support of or against the award of capital punishment. The abolitionists see this provision a green signal for dilution of capital punishment while for the retentionists the special reasons contemplated by Section 354(3) implicitly suggest that death sentence is legally and constitutionally permissible.

It must, however, be noted that what appears to one Judge as extenuating circumstances justifying commutation of death sentence to that of life-imprisonment, may not be necessarily so with the other Judge. Thus in *Kunja Kunja Janardhanam v. State of Andhra Pradesh*, the accused, infatuated by the charm of a village girl, committed brutal murder of his innocent wife and two minor sons while they were asleep in dead of night.

The girl, on her part, had warned the accused through her letters not to destroy his happy family life by the illicit intimacy but the accused paid no heed and chose to commit triple murder with extreme depravity. Though the majority by 2: 1 commuted death sentence to that of imprisonment for life, Mr. Justice A.P. Sen, in his dissenting judgment disagreed with the majority and, observed:

"The accused who acted as a monster, did not even spare his two innocent minor children in order to get rid of his wife and issues through her; if death sentence was not to be awarded in a case like this I do not see the type of offences which call for death sentence."

A perusal of some of the Supreme Court decisions involving award of death penalty would reveal that sudden impulse or provocation uncontrollable hatred arising out of sex indulgence, family feud or land dispute, infidelity of wife or sentence of death hanging over the head of the accused for a considerable long period of time due to law's delay, have been accepted as extenuating circumstances justifying lesser penalty of life imprisonment instead of death sentence. Mr. Justice Krishna Iyer of the Supreme Court of India, however, made it clear in *Rajendra Prasad v. State of U.P.*, that where the murder is deliberate, premeditated, cold-blooded and gruesome and there are no extenuating circumstances, the offender must be sentenced to death as a measure of social defence.

The pros and cons of "life or death" sentence have been extensively dealt with by the Supreme Court of India in *Rajendra Prasad's* case. Therefore it would be pertinent to state the facts of the case to analyse the entire issue in its proper perspective.

The accused in the instant case was a "desperate character" who had undergone sentence of imprisonment for life and was released on Gandhi Jayanti day in 1972, a few days prior to the occurrence. On 25th October, 1972 the accused suddenly attacked one Rambharosey and dealt several blows on vital parts of his body with knife.

Rambharosey released himself from the grip of the accused and ran inside his house and bolted the door. The accused chased him all the way with the blood-stained knife and knocked at the door asking him to open it. Meanwhile, the deceased Mansukh came and tried to entreat the accused not to assault Rambharosey.

# Death Penalty Research Paper Introduction

**Sheldon Ekland-Olson**



## **Death Penalty Research Paper Introduction:**

**The Death Penalty** Scott Vollum, Rolando del Carmen, Durant Frantzen, Claudia San Miguel, Kelly Cheeseman, 2014-05-16  
The Death Penalty Third Edition brings together all the legal issues related to the death penalty and provides case briefs for the most important United States Supreme Court death penalty cases No other book available brings together a discussion of the major constitutional issues surrounding the death penalty with a broad array of associated case briefs The authors classify cases according to legal issues and provide a commentary on the various sub topics presenting legal materials in an easily understood form Though the primary audiences of the book are undergraduates in criminal justice programs and practitioners in the corrections and justice systems the book will also prove useful to anyone who has an interest in the death penalty the criminal justice system or the United States Constitution Every chapter starts with commentaries regarding general case law in a sub topic such as aggravating and mitigating factors followed by a chart of the cases briefed in the chapter and then the case briefs These case briefs acquaint the reader with Supreme Court cases by summarizing facts issues reasons and holdings The Death Penalty Third Edition is a succinct trusted guide to the law of capital punishment in the United States

**Introduction to Criminology** Frank E. Hagan, 2010-01-15 Introduction to Criminology Seventh Edition is a comprehensive introduction to the study of criminology designed for an introductory undergraduate courses The book focuses on the vital core of criminological theory theory method and criminal behavior Hagan investigates all forms of criminal activity such as organized crime white collar crime political crime and environmental crime He explains the methods of operation the effects on society and how various theories account for criminal behavior New to this edition Expansion of material on psycho social and bio social theories Additional coverage of terrorism in Ch 11 along with ethics in the research methods chapter Ch 2 New chapter on Cybercrime New Epilogue on the future of crime and the newest criminological theories New Career Feature Boxes New Crime Files Feature Boxes End of Chapter Web Research Exercises New full color design and photo program In text links to study site Expanded study site resources including video of the author and original podcasts recorded by the author for each chapter Blackboard and Web CT compatibility

*The Practice of Research in Criminology and Criminal Justice* Ronet D. Bachman, Russell K. Schutt, 2019-01-08 The authors are proud sponsors of the 2020 SAGE Keith Roberts Teaching Innovations Award enabling graduate students and early career faculty to attend the annual ASA pre conference teaching and learning workshop Very practical approach to teaching research methods and very student friendly This text breathes life into the research process Sherill Morris Francis Mississippi Valley State University The Practice of Research in Criminology and Criminal Justice Seventh Edition demonstrates the vital role research plays in criminology and criminal justice by integrating in depth real world case studies with a comprehensive discussion of research methods By pairing research techniques with practical examples from the field Ronet D Bachman and Russell K Schutt equip students to critically evaluate and confidently conduct research The Seventh Edition of this best selling text retains the

strengths of previous editions while breaking ground with emergent research methods enhanced tools for learning in the text and online and contemporary fascinating research findings This edition incorporates new topics like intelligence led policing social network analysis SNA the evolution of cybercrime and more Students engage with the wide realm of research methods available to them delve deeper into topics relevant to their field of study and benefit from the wide variety of new exercises to help them practice as they learn Give your students the SAGE edge SAGE edge offers a robust online environment featuring an impressive array of free tools and resources for review study and further exploration keeping both instructors and students on the cutting edge of teaching and learning

Life and Death Decisions Sheldon Ekland-Olson, 2013 This book discusses the American euthanasia movement debates over the boundaries between abortion and infanticide hastened death and euthanasia tolerable and intolerable suffering suicide and refusal of medical treatment and lynching and capital punishment

**Handbook of Forensic Social Work** David Axlyn McLeod, Anthony P. Natale, Kristin W. Mapson, 2024 The Handbook of Forensic Social Work Practice provides important reference content on the justice system the differential nature by which people families and communities navigate it and the various ways social workers interface with forensic systems and associated client populations The Handbook is an essential and accessible resource for social workers in forensic practice that synthesizes current theory policy and practice

**Ethics in Criminal Justice** Sam S. Souryal, John T. Whitehead, 2019-09-17 Introducing the fundamentals of ethical theory Ethics in Criminal Justice In Search of the Truth Seventh Edition exposes the reader to the ways and means of making moral judgments by exploring the teachings of the great philosophers sources of criminal justice ethics and ethical issues in the criminal justice system It is presented from two perspectives a thematic perspective that addresses ethical principles common to all components of the discipline and an area specific perspective that addresses the state of ethics in criminal justice in the fields of policing corrections and probation and parole The seventh edition features discussion of current critical issues in criminal justice accusations of racism police shootings stop and frisk policy marijuana laws mass incarceration life sentences prison privatization the swift and certain deterrence model of probation excessive probation fees and the Good Lives Model in corrections The seventh edition also offers completely revised coverage of capital punishment and the rehabilitation debate and a discussion of how juvenile justice often fails to live up to its ideals Finally the book features new case studies of recent ethical dilemmas in criminal justice to enhance students understanding of real life ethics decision making Suitable for advanced undergraduates or graduate students in criminal justice programs in the US and globally this text offers a classical view of ethical decision making and is well grounded in specific case examples

**The Philosophy Skills Book** Stephen J. Finn, Chris Case, Bob Underwood, Jesse Zuck, 2012-03-08 The Philosophy Skills Book will help you to master the core skills you need to succeed in your study of Philosophy Taking you through a series of exercises that will help you practise and perfect your reading and writing of Philosophy this book covers such topics as Finding arguments and drawing conclusions Finding and resolving

inconsistencies Brainstorming and planning your essays Summarizing and defending your argument Using quotations Avoiding common errors Whether you want to get your studies off to a flying start or improve your final grade *The Philosophy Skills Book* will help you develop the skills you need to be a better Philosopher *Routledge Handbook on Offenders with Special Needs* Kimberly D. Dodson, 2018-05-11 Current estimates indicate that approximately 2.2 million people are incarcerated in federal state and local correctional facilities across the United States There are another 5 million under community correctional supervision Many of these individuals fall into the classification of special needs or special populations e.g. women juveniles substance abusers mentally ill aging chronically or terminally ill offenders Medical care and treatment costs represent the largest portion of correctional budgets and estimates suggest that these costs will continue to rise In the community probation and parole officers are responsible for helping special needs offenders find appropriate treatment resources Therefore it is important to understand the needs of these special populations and how to effectively care for and address their individual concerns The *Routledge Handbook of Offenders with Special Needs* is an in depth examination of offenders with special needs such as those who are learning challenged developmentally disabled and mentally ill as well as substance abusers sex offenders women juveniles and chronically and terminally ill offenders Areas that previously have been unexamined or examined in a limited way are explored For example this text carefully examines the treatment of gay lesbian bisexual and transgender offenders and racial and gender disparities in health care delivery as well as pregnancy and parenthood behind bars homelessness and the incarceration of veterans and immigrants In addition the book presents legal and management issues related to the treatment and rehabilitation of special populations in prisons jails and the community including police citizen interactions diversion through specialty courts obstacles and challenges related to reentry and reintegration and the need for the development and implementation of evidence based criminal justice policies and practices This is a key collection for students taking courses in prisons penology criminal justice criminology and related areas of study and an essential resource for academics and practitioners working with offenders with special needs

*Staff Research Report*, 1961 **The Death Penalty** Edward G. McGehee, William H. Hildebrand, 1964 **DeathQuest** Robert M. Bohm, 2011-08-15 This fourth edition of the first true textbook on the death penalty engages the reader with a full account of the arguments and issues surrounding capital punishment The book begins with the history of the death penalty from colonial to modern times and then examines the moral and legal arguments for and against capital punishment It also provides an overview of major Supreme Court decisions and describes the legal process behind the death penalty In addressing these issues the author reviews recent developments in death penalty law and procedure including ramifications of newer case law such as that regarding using lethal injection as a method of execution The author's motivation has been to understand what motivates the deathquest of the American people leading a large percentage of the public to support the death penalty The book will educate readers so that whatever their death penalty opinions are they are informed ones

Final Report Massachusetts. Governor's Council on Capital Punishment, 2004 We the members of the Massachusetts Governor's Council on Capital Punishment hereby submit our final report and recommendations to Governor Mitt Romney In this report we offer a series of ten proposals many of which are unprecedented in the history of American capital punishment that if adopted in their entirety can allow creation of a fair capital punishment statute for Massachusetts that is as narrowly tailored and as infallible as humanly possible presents the 10 recommendation in great detail also includes a list of Council members

**The Death Penalty in America** Robert M. Bohm, 1991      *The Death Penalty* Austin Sarat, 2005 A collection of previously published articles      Public Hearing Before Assembly Judiciary, Law and Public Safety Committee New Jersey. Legislature. General Assembly. Judiciary, Law, and Public Safety Committee, 1992      The Freethinker, 1987      **Report of the Governor's Commission on Capital Punishment** Illinois. Governor's Commission on Capital Punishment, 2002

**Symposium on the Impact of the Death Penalty**, 2009      **The Death Penalty** Roger Hood, Carolyn Hoyle, 2008 The 4th edition edition of this classic study has been thoroughly revised to provide up to date information on the scope and practice of capital punishment and the movement backed by international organizations and human rights treaties to abolish the death penalty worldwide As in previous editions it draws on Roger Hood's experience as consultant to the United Nations for the Secretary General's five yearly surveys of capital punishment as well as the latest information from non governmental organizations and the academic literature Not only have more countries such as the Phillipines abolished capital punishment but amongst those that retain the death penalty fewer have been carrying out executions Legal challenges to the mandatory imposition of capital punishment have been successful as has the movement to abolish the death penalty for those who commit a capital crime when under the age of 18 Of particular interest is the situation in China where all death sentences are to be reviewed by the People's Supreme Court Support for capital punishment is waning in the USA where concern is mounting as evidence of conviction of the innocent grows and where there have been renewed challenges to the constitutionality of the death penalty Despite the many advances towards world wide abolition this book reveals many human rights abuses where the death penalty still exists These include the wide range of crimes still subject to capital punishment in some countries the lack of protection from police abuse unfair trials lack of access to qualified defence counsel terrible conditions and excessive periods of time spent on death row and public and painful forms of execution Roger Hood and Carolyn Hoyle engage with the latest debates on the realities of capital punishment especially the claim that the death penalty is a uniquely effective deterrent to murder and other serious crimes This edition brings up to date the discussion of whether capital punishment can ever be administered equitably without discrimination or error and for the first time considers the alternatives to capital punishment especially the problems associated with a mandatory sentence to life imprisonment without the possibility of parole This edition also considers the role and influence of victims families and victim interest movements

**The Scholar**, 2000

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