

From : Shri R.N.Kali, W.B.H.J.S.  
Additional District & Sessions Judge,  
2nd Court, 24-Parganas,  
A l i p o r e.

No. 240 dated, Alipore, the 17th day of August, '91.

To  
The Registrar, Appellate Side,  
High Court,  
Calcutta.

Subject :- Reference of death penalty in  
respect of convict Dhananjoy  
Chatterjee alias Dhana in S.T.  
No. 1(11) 90 under Section 366  
of the Cr.P.C.

Sir,

I am to inform you that convict Dhananjoy Chatterjee alias Dhana faced trial before me on charges under Section 302 of the Indian Penal Code, Section 376 of the Indian Penal Code and Section 380 of the Indian Penal Code, for committing rape and murder of Hetal Parekh and also for committing theft in respect of a wrist watch in flat no. 3A, Anand Apartment at 57A and B, Padmapukur Road on 5.3.90. He was ~~xxxxi~~ convicted by me under Section 302 of the I.P.C. and Section 376 of the I.P.C. on the charge of committing murder and rape respectively of the aforesaid Hetal Parekh. He was also convicted on the charge of committing theft of the aforesaid wrist watch from flat no. 3A, Anand Apartment, at 57A and B, Padmapukur Road. The order of conviction was recorded on 9.8.91. The convict was sent to jail for reflection and deliberation on the points of sentence and ordered to be produced before me for hearing on the points of sentence

sentence on 12.8.91. After hearing the x convict and the learned Special Prosecutor and the learned defence lawyer, I sentenced him to be hanged by neck till death on the charge of murder under Section 302 of the Indian Penal Code. I also sentenced him to suffer Imprisonment for Life on the charge for committing rape under Section 376 of the Indian Penal Code and I sentenced him to suffer Rigorous Imprisonment for 5 years on the charge for committing theft under Section 380 of the Indian Penal Code. I also recorded that the sentence imposed for the convict under Section 302 of the I.P.C. is subject to confirmation of the Hon'ble High Court. It was further recorded that the other two sentences would run concurrently and that they would cease to have any effect in case the sentence for the conviction under Section 302 of the I.P.C. is confirmed by the Hon'ble High Court and executed. The death sentence on the charge of murder under Section 302 of the I.P.C. was passed as the offence committed by the convict was found to be coming within the rule of " the rarest of rare cases of murder " and as the killing of the victim had been done in the most brutal and cold blooded manner after she had been raped by the convict and as the conduct of the convict reflected his savage and criminal mind. The details of the reasonings have been given in the body of the judgement.

I am sending herewith the entire proceedings of the case including the judgement delivered by me. I am to

-3-

I am to request you to place the entire proceedings of the case before the Hon'ble High Court for confirmation of the sentence of death, as contemplated under the provisions of Section 386 of the Criminal Procedure Code. Some material exhibits, a copy of which is linked up, have been kept with the Investigating Officer and direction has been given to him through the Commissioner of Police for production of the same before the Hon'ble High Court at the time of hearing of the death reference or as and when asked for. The record is being sent to you under a Special Escort.

Yours faithfully,

Sd/- R.N.Kali

Addl. Dist. & Sessions Judge  
2nd Court, 24-Parganas.  
Alipore.

Encl :- As stated above.