

No viable alternative to hanging: Centre

Petitioner-in-person and advocate Rishi Malhotra countered that death by lethal injection is practised in several States in the U.S. and even the Law Commission of India had recommended lethal injection.

The court gave the government four weeks to file the affidavit. The court has already clarified that it is not questioning the constitutionality of the death penalty, which has been well settled by the court, including in *Deena versus Union of India* and earlier in the Bachan Singh case reported in 1980. Section 354 (5), which mandates death by hanging, of the Code of Criminal Procedure has already been upheld.

However, the Bench had, at an earlier hearing, favoured a re-look at the practice of hanging to death as “the Constitution of India is an organic and compassionate document which recognises the sanctity of flexibility of law as situations change with the flux of time.” The court is hearing a writ petition seeking the court’s intervention to reduce the suffering of condemned prisoners at the time of death.

END

Downloaded from **crackIAS.com**

© **Zuccess App** by crackIAS.com