



Rahbar International

Friday, July 10th 2026

America based Attorney Files Urgent Petition Urging India's Chief Justice to Intervene in Yasin Malik Case Ahead of Death Penalty Hearing:



Published on January 18, 2026

Document Date: Fri, Jul 10 2026 08:37:45 am

Category: ,English,Kashmir - ~ ,Snippets

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MIRPUR (AJK): January 18: US-based Dr. Toseef Kamal, Attorney at Law in the United States and a member of the American Bar Association, has filed an urgent clemency petition and constitutional representation before the Hon'ble Chief Justice of India, Justice Surya Kant, expressing grave concern over the case of Mr. Yasin Malik, a Kashmiri political leader currently serving a life sentence, says a message reaching and released to the media here on Saturday.

In his petition,, the message said, Dr. Kamal highlights that a lower court is scheduled to hear, on January 28, 2026, a Government plea seeking conversion of Mr. Malik's life sentence into the death penalty. He warns that the pursuit of capital punishment in this case raises serious legal, constitutional, and humanitarian concerns.

Dr. Kamal notes that after reviewing the trial proceedings and subsequent developments, substantial questions arise regarding due process, proportionality, and fairness, particularly in a case of such political sensitivity. He emphasizes that the irreversible nature of the death penalty requires the highest degree of judicial caution and constitutional restraint.

The petition recalls that Mr. Yasin Malik has, for decades, publicly committed himself to non-violence and peaceful political engagement, and that his continued incarceration – now coupled

with a push for sentence enhancement — appears punitive rather than corrective.

A major focus of the petition is Mr. Malik's deteriorating health condition. According to Dr. Kamal, Mr. Malik suffers from serious cardiac ailments and has undergone heart surgery, including valve-related procedures. Prolonged incarceration under severe stress, the petition argues, poses a grave risk to his life. The petition also underscores the humanitarian impact of his prolonged separation from his ailing mother and family.

Dr. Kamal has respectfully urged the Chief Justice of India to intervene and issue appropriate directions to the lower court, ensuring that the Government's plea for the death penalty is handled with extreme care, objectivity, and strict adherence to constitutional safeguards. The petition further requests consideration of clemency, commutation of sentence, and humanitarian relief.

“The death penalty carries irreversible consequences. In such cases, constitutional morality, judicial restraint, and compassion must guide the process,” the petition states.

The filing concludes by asserting that timely judicial intervention would reaffirm India's commitment to the rule of law, fundamental rights, and human dignity, particularly in cases involving the possibility of capital punishment.