



# Jus Corpus Law Journal

Open Access Law Journal – Copyright © 2021 – ISSN 2582-7820  
Editor-in-Chief – Prof. (Dr.) Rhishikesh Dave; Publisher – Ayush Pandey

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

---

## Case Comment: Analysis of Neeraj Grover Murder Case

Raksha Yadav<sup>a</sup>

<sup>a</sup>Karnataka State Law University, Hubli, India

*Received* 23 October 2021; *Accepted* 13 November 2021; *Published* 15 November 2021

---

### INTRODUCTION

Neeraj Grover's murder case was the high profiled case of history. It received great media attention due to its barbaric nature. Neeraj was a television executive working in a Mumbai-based production house found dead in May 2008 at Malad. It made me surprise how could anyone kill a person brutally and chopped into pieces. After an accused put it into 3 bags and set it on fire in the forest which is so disgusting. The trial of the case took three years and in July 2011 the judgment of the case was pronounced but the court did not take it as rare of the rarest case.

### BACKGROUND OF THE CASE

Maria Susairaj was a Kannada actress who moved to Mumbai to start her acting career. Neeraj Grover was an executive who helped her to make her name in Mumbai. Emil Jerome Mathew was a Lieutenant in the Indian Navy was the fiancée of Maria Susairaj. On 6 May 2008, Neeraj went to Maria's residence at Malad, Mumbai to help her in shifting and Neeraj stay there. In the night Jerome Mathew called Maria and heard a male voice and asked about the same to

Maria. He instructed her not to allow him to stay for the whole night. Jerome suspects that they both were having an affair, he flew down from Cochin to Mumbai and found Grover with his fiancée. Jerome and Grover went into a fit of rage then Jerome grabbed a knife from the kitchen. He stabbed him and Grover died on the spot. After the incident, Jerome sent Maria to the mall and asked her to buy knives, curtains, bedsheets, and bags. Then they both dragged the dead body in the kitchen and chopped it into 300 pieces and stuffed it into bags. Maria bought her friend's car and took the pieces of Grover's body to the forest outskirts of the city and put it on fire. Later they both changed the furniture, curtains, bed-sheet and painted the wall.

A complaint was filed at Malad Police Station when he was not seen at the office for a long time of period. Maria was found suspected as Neeraj was visited her residence before missing. Later it was found that Maria's fiancée murdered the Neeraj and Maria accompanied with him in destroying the evidence.

### **REASON BEHIND THE INCIDENT**

Jerome came to know that on 6<sup>th</sup> May 2008 Neeraj stayed at Maria's flat the whole night. He took a flight for Mumbai and reached the residence in the morning and saw Neeraj was sleeping in the bedroom. He got very angry and both men came into a physical fight with each other. Jerome took a knife from the kitchen and stabbed Neeraj. Then he chopped the body into 300 pieces and take it to the forest and put it on fire.

There are certain prime suspects which leads the crime branch team to suspect Maria and Jerome are following:

- Maria answered the call on Neeraj's phone after disposing of the body.
- She lied to the police regarding the borrowed car.
- She told Neeraj's friend that he forgot his cell phone at her place.
- Jerome called 1000 times Maria between 7<sup>th</sup> May to 20<sup>th</sup> May.

### **ARGUMENTS PRESENTED IN THE COURT**

The defense lawyer presented the testimonials of Maria's neighbor and Jerome's friend and on 6<sup>th</sup> May 2008, Jerome called Maria at 6:00 pm and booked the tickets for Mumbai at 11:30 pm which reflects that the murder was pre-planned by both of them. The body was chopped into pieces after the murder and disposed into the forest. The watchman of Maria's residence told the police that he saw Maria and Jerome put two big bags in the car. These all facts should be considered as this is not a case of simple theft or trespass. In this case, Maria was only charged with destruction of evidence in the case not for murder.

Jerome's lawyer told the court that they can not rely on Maria's confession as she was never sticking to any of her confessions. On 27 May 2008, she told the Magistrate that Jerome and Neeraj got into an argument that led to Neeraj's murder. She made different stories at different times. Initially, when it was a missing case she told the police that Neeraj had left the residence at 1:30 am. Later on, she accepted that Neeraj was there all night and during the court proceedings she told that she met Neeraj only on 4<sup>th</sup> May 2008 at a get-together. Jerome lawyer's told the court about Jerome's background and his education and requested the court that he is a young Navy officer who is the only son of their parents. Maria's lawyer told the court she was not a habitual offender. She was helpless who was forced to accompany in the murder due to the threat of life. As she is a young and unmarried woman, all these aspects should be considered before passing any verdict.

## JUDGEMENT

On 11<sup>th</sup> July 2011, the Mumbai session court sentenced Jerome Mathew to the imprisonment of 10 years and he was convicted for culpable homicide not amounting to murder under **Section 304**<sup>1</sup> of Indian Penal Code,1860.<sup>21</sup> According to this section, "Any person who commits culpable homicide not amounting to murder he/she shall be punished with imprisonment for life or imprisonment for either description of a term which may extend to 10 years and shall also be liable to fine."<sup>3</sup> He has also been charged with "causing the disappearance of evidence

---

<sup>1</sup> Indian Penal Code 1860, s 304

<sup>2</sup> Ratanlal & Dhirajlal, *The Indian Penal Code* (36th edn, Lexis Nexis 2021)

<sup>3</sup> *Ibid*

of an offense under Section 201<sup>4</sup> of IPC.”<sup>5</sup> Maria was found guilty of destruction of evidence and sentenced to 3 years’ imprisonment. As she had already spent 3 years in prison during the trial of the case so she was set free. The court imposed a fine of Rs.50000/- to Maria and Rs. 1,00,000/- to Jerome Mathew.<sup>6</sup>

## ANALYSIS

The family of Neeraj was not satisfied with the judgment of the session court. According to them, Maria was responsible for the murder and punishment was very lesser. She was the only person who assisted Jerome in disposing of the body and manipulating the police. They were both charged with murder, criminal conspiracy, common intent, and causing the disappearance of evidence. The Additional Session judge does not consider as rare of rarest offense. In my opinion, the punishment which was imposed on the accused is very lessor than the offense which they committed.<sup>7</sup> It is very difficult to digest how an Indian Navy officer commits such a heinous offense just in a fit of rage. Like he stabbed him and chopped the victim’s body into 300 pieces. It is normal human psychology that when a man saw his woman with another man it is obvious he becomes angry and attempts to murder but after that chopping into pieces, this is the rarest of rare offense.

There are several cases where the principle of rarest of rare would apply. In the case of Bachan Singh vs the State of Punjab,<sup>8</sup> the doctrine of rarest of rare was first time applied. Bachan Singh was found guilty of the murders of three persons and convicted under Section 302 under IPC. This states that whoever commits murder shall be punished with death or life imprisonment and shall also be liable to a fine.<sup>9</sup> In Sushil Sharma vs State (NCT) of Delhi,<sup>10</sup> the accused was convicted with the death punishment by the Session and High Court but Supreme Court

---

<sup>4</sup> Indian Penal Code 1860, s 201

<sup>5</sup> KD Gaur, *Textbook On Indian Penal Code* (7th edn, Lexis Nexis 2020)

<sup>6</sup> *Ibid*

<sup>7</sup> *Ibid*

<sup>8</sup> *Bachan Singh v the State of Punjab* AIR 1980 SC 898

<sup>9</sup> *Ibid*

<sup>10</sup> *Sushil Sharma v State (NCT) of Delhi* (2014) 4 SCC 317

commuted the death sentence to life imprisonment.<sup>11</sup> The Supreme Court stated that “Undoubtedly, the offense is brutal but the brutality alone would not justify a death sentence.”<sup>12</sup>

The most horrible case of India was *Surendra Koli vs State of UP Ors.*<sup>13</sup> The accused killed the children and chopped their body and ate it. It is very difficult to believe how someone was so inhuman. This case also falls under the rarest of rare doctrine and the accused was sentenced to the death penalty.<sup>14</sup> *Dhananjay Chatterjee vs the State of West Bengal*,<sup>15</sup> the Supreme Court considered it as rarest of rare case and sentenced him to capital punishment. Dhananjay was found guilty of murder and rape of Hetal Parekh an 18 years old girl. The offense was barbaric, ruthless and it also hurt human dignity. There are several cases like this but I am highlighting only a few cases to make the reader think and compare with the Neeraj Grover case. As per my findings, Neeraj’s case also fell under the doctrine but the session court did not consider it at all and showed a lenient attitude towards the accused. It seems injustice for the Neeraj’s parents they lost their son without any fault. It takes a few seconds to take someone’s life and disrespecting his body was very heinous and it should require attention. The accused could have been charged with at least life imprisonment. Considering all these facts makes me think is it justice has been done or not.<sup>16</sup>

## CONCLUSION

Neeraj Grover's murder case got a huge timeline due to the media because the accused were a Kannada actress and an Indian Navy Officer. After the verdict of the court, it was questioned by the media how the court passed such judgment where an accused was so cruel toward someone. In India, people are losing faith in the judiciary because of its prolonged process, and such judgments passed by the courts. There are various similar cases like this where the court passed the life imprisonment or death penalty but in this case, the court even did not consider

---

<sup>11</sup> *Ibid*

<sup>12</sup> Souvik Bhadra & Pingal Khan, *Red Handed 20 Criminal Cases That Shook India* (Rupa Publication)

<sup>13</sup> *Surendra Koli v State of UP* (2011) 4 SCC 80

<sup>14</sup> *Ibid*

<sup>15</sup> *Dhananjay Chatterjee v State of WB* 1994 (1) ALT Cri 388

<sup>16</sup> *Ibid*

it as murder, and the punishment was very lenient. Is justice has been done with Neeraj and his family?