

CANADA / JUDGMENT

R. v. Raju

2025 BCSC 2343

COURT

Supreme Court of British Columbia

DECIDED

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2025 BCSC 2343 R. v. Raju IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: R. v. Raju, 2025 BCSC 2343 Date: 20250912 Docket: 34380-1, 34380-16 Registry: Vancouver Rex v. Sylvester Raju, Cory Grosskleg and Gavin Leznoff Restriction on Publication: A publication ban has been imposed under ss.486.5(1) and 486.5(9) of the Criminal Code restricting the publication, broadcasting or transmission in any way of evidence that could identify a victim/witness/undercover officer, referred to in this judgment. This publication ban applies indefinitely unless otherwise ordered. Corrected Judgment: The text of the judgment was corrected at para. 30 on November 27, 2025. Before: The Honourable Madam Justice Murray Oral Reasons for Sentence (Re: Accused Gavin Leznoff) Counsel for the Crown: J. Pellerin M. Barrenger Counsel for the Accused, Gavin Leznoff: A. Allen-Valleau Place and Date of Hearing: Vancouver, B.C. June 26, 2025 Place and Date of Judgment: Vancouver, B.C. September 12, 2025

- [1] THE COURT: On January 6, 2025, Mr. Leznoff pled guilty to conspiracy to murder persons X and Y and to conspiracy to murder an unknown male residing in Surrey. This is his sentencing.
- [2] Crown and defence jointly propose a sentence of six-and-a-half years imprisonment.
- [3] Put briefly, on January 1, 2022, as a result of exceptional police work, Vancouver Police officers arrested Mr. Leznoff's co-accuseds, Mr. Raju and Mr. Grosskleg, along with a third unindicted conspirator, Sebastian, now deceased, while they were on their way to commit a murder. On arrest, their cellphones were seized. Hundreds of messages between the co-conspirators including Mr. Leznoff were found. These messages form the Crown's case against Mr. Leznoff.
- [4] The messages show Mr. Leznoff and Mr. Raju to be the organizing minds of two plots to kill three people, a couple in Vancouver, and a man who lived in Surrey.

- [5] Mr. Leznoff was arrested in the early morning hours of November 18, 2022. He was released on December 16, 2022, on strict conditions including virtual house arrest. On September 9, 2024, the house arrest was relaxed to a curfew of 9:00 p.m. to 6:00 a.m. The curfew was relaxed further on January 16, 2025, to 11:00 p.m. to 6:00 a.m. There were no reported difficulties with Mr. Leznoff's performance on bail for about two-and-a-half years until June 7, 2025, when he was arrested for domestic assault. He has been in custody since.
- [6] The fundamental purpose of sentencing as set out in s. 718 of the Criminal Code, R.S.C. 1985, c. C-46, is to protect society and to contribute to respect for the law and maintenance of a just, peaceful and safe society by imposing just sanctions. The paramount considerations on this sentencing are deterrence, both general and specific, and denunciation.
- [7] The duty of a sentencing judge is to fashion a just and appropriate punishment that is proportionate to the culpability of the offender. In doing so, pursuant to s. 718.2, I must consider the aggravating and mitigating factors. I will start with the aggravating factors of which there are many.
- [8] There is no more serious crime than murder. The crime of conspiracy to murder can range from agreements with very few steps taken to agreements with many steps taken and the goal achieved. Where an offence falls on the scale of severity depends on the role of the offender and steps he took. In my view, Mr. Leznoff's crimes fall on the serious end of the scale.
- [9] Mr. Leznoff with Mr. Raju were the masterminds of the two plots to kill a total of three people. They worked as a team. They planned the murders together and did so with glee.
- [10] The conspiracies were lengthy. The conspiracy to murder the couple in Vancouver, persons X and Y, Count 1, went on for about a month. The conspiracy to murder the man in Surrey, Count 2, lasted for several weeks. The conspiracies came to an end only because police arrested Messrs. Mr. Leznoff and Mr. Raju. Even the arrests of Sebastian and Grosskleg, the hitmen, did not dissuade Mr. Leznoff and Mr. Raju. They immediately went about looking for new killers.
- [11] Mr. Leznoff with Mr. Raju took many concrete steps to ensure the completion of the contracts. They communicated via encrypted communications and used code names. Mr. Raju recruited the killers. Mr. Leznoff provided them with the tools they needed for the hits, stolen cars and firearms. Mr. Leznoff gave the hitmen their assignments. He provided to the killers photos of the people to be murdered, their homes and their cars. He told the killers about the targets' schedules. He tracked the targets' vehicles and reported their location. He learned the targets' patterns of behaviour and their schedules, when they would normally be home and where they parked their cars, and passed that information to the killers.

- [12] Mr. Leznoff told the killers how much money they would make for the murders. He directed as to when and how the murders would be carried out. For example, regarding Count 1, he told the hitmen to go in first and do the girl as she is always home. Then wait for the guy to come home and do him, or tie her up and wait for him. He told the hitmen where the couple parked their car. He encouraged the shooters and promised them more work after the assigned jobs were completed. He was the one who would pay the killers after a successful hit.
- [13] Mr. Raju and Mr. Leznoff continually discussed logistical issues and how the money would be split between them and the shooters. Mr. Leznoff was clearly interested in making a business out of killing. Mr. Raju promised Mr. Leznoff many more jobs. In one exchange Mr. Raju wrote to Mr. Leznoff: "They (meaning his bosses) have so many jobs, from 40 all the way to 200K. He just said to me, 'Bro, do this one and the rest are yours.'" Mr. Leznoff replied with excitement, "Fuck, that's crazy." "Yeah, well, line it up. My friend are 100 percent down."
- [14] Mr. Raju and Mr. Leznoff regularly talked about how much money they would make from setting up hits. Mr. Leznoff clearly felt no remorse about murdering people. In fact, he seemed to not think about the targets as people, just as money. In one text he told the killers, "Let's get this done and make money."
- [15] It is pure happenstance that no one was murdered. Persons X and Y escaped on January 1, 2022, because they parked in a different spot than usual. On another occasion, when a hitman went to kill X and Y, he backed off because a police car was in the area. Plans for the murder of the Surrey man were foiled when the tracking device malfunctioned.
- [16] Finally, regarding aggravating factors, the impact on the targets is devastating. One of the targets advised Crown counsel that when police told her that she was a target of a murder plot, she was shocked and frightened. She does not know Leznoff, Raju or Grosskleg. As the person or persons that ordered that she be killed are unknown and presumably still in the community, she feels unsafe and always will. She does not understand why anyone would want her killed. She is afraid to leave her house. She does not answer the phone unless she knows the caller. She trusts no one now. She is understandably in a constant state of fear.
- [17] Turning to mitigating factors, the main one is that Mr. Leznoff pled guilty. Additionally, he is relatively young. He turns 27 next month. He was 23 at the time of the offences.
- [18] The fact that he has no criminal record would normally be a mitigating factor, but in this case it is not as the evidence clearly shows that Mr. Leznoff was involved in criminal activity beyond the offences for which he has admitted guilt. A search warrant executed on his residence, the home he shared with his young brother, after his arrest provided evidence showing that he was trafficking. In the residence police found drugs -- cocaine and crystal meth- money and a digital scale. As well, Mr. Leznoff's phone was filled with messages about drug dealing. The fact that Mr. Leznoff became partners in crime with Mr. Raju, a man with a serious criminal past, is an indicator of how deeply Mr. Leznoff was immersed in criminality.

- [19] Mr. Leznoff has had a difficult and tragic life. His father abused drugs and alcohol and was violent toward him and his mother. His mother suffered from mental health difficulties and was occasionally bedridden for long periods at a time. Mr. Leznoff, I understand, was left to raise himself. Most tragically, about 10 years ago, Mr. Leznoff's father set the family home on fire while Mr. Leznoff's maternal grandmother and one of his brothers who were asleep in the home, killing them. Mr. Leznoff, at 19, had to testify against his father. Mr. Leznoff has been raising his young brother, a responsibility he takes very seriously.
- [20] As I stated at the outset, this is a joint submission. Trial courts must give deference to joint submissions. As instructed by the Supreme Court of Canada in *R. v. Anthony-Cook*, 2016 SCC 43, a trial judge should not depart from a joint submission on sentence unless the proposed sentence would bring the administration of justice into disrepute or otherwise would be contrary to public interest.
- [21] I accept from the cases put before me that there is a wide range for sentencing for conspiracy to commit murder. While in my view the proposed sentence is at the lower end of the applicable range, I am satisfied that it is in the range. I am mindful that counsel, who are experienced and well-respected, have put time and effort into reaching this agreement and that their submission is the result of considered discussion.
- [22] I am further satisfied that counsel's proposal takes into account the seriousness of the offences, as well as Mr. Leznoff's tragic personal circumstances and the time he spent in custody pretrial, the equivalent of 44 days.
- [23] Having considered the law, the cases and the submissions of counsel, I am satisfied that the proposed sentence would not bring the administration of justice into disrepute. I am further satisfied that it is not contrary to the public interest. I will accede to the joint submission of counsel.
- [24] Stand up, please, Mr. Leznoff.
- [25] It is a miracle that you are not being sentenced for life today. That miracle has nothing to do with you. You were so caught up in the idea of making money you would have gone to any length to make sure that people were murdered. Do know that you would have been just as culpable if the murder had happened as the people who actually pulled the trigger. You do understand that, don't you?
- [26] THE ACCUSED: (Inaudible response).
- [27] THE COURT: [Personal comments to the accused]
- [28] I sentence you to six-and-a-half years. That is on top of the dead time of 44 days. In accepting this sentence proposal, I take the dead time into account but it is not to be subtracted, and of course there is no credit for the time that you have spent in custody since your arrest in June of this year.

- [29] I urge you to use your time in custody productively. Take courses, get a degree.
- [30] In addition, Mr. Leznoff, I make the following ancillary orders:
1. Pursuant to s. 109, you are prohibited from possessing any firearm, crossbow, prohibited weapon, restricted weapon, prohibited device, firearm, ammunition, prohibited ammunition and explosive substance.
 2. Pursuant to s. 487.051(3)(b), I authorize the taking of the number of samples of bodily substances that are reasonably required for the purpose of forensic DNA analysis.
 3. Pursuant to s. 743.21, you are prohibited from having contact of any kind, directly or indirectly, with the following people: (1) Sylvester Raju; (2) Cory Grosskleg; (3) R.S.; (4) P.K.; (5) A.S..
- [31] That means no messages, no emails, no texts, not reaching out to them through other people. Do you understand that?
- [32] THE ACCUSED: (No audible response).
- [33] THE COURT: If you find yourself in the same place as any of these people, you are to leave immediately. Understood?
- [34] THE ACCUSED: (No audible response).
- [35] THE COURT: Finally, pursuant to s. 737, you must pay a victim fine surcharge of \$200 per count for a total of \$400. How much time do you need to do that?
- [36] THE ACCUSED: I can do that right away.
- [37] THE COURT: Okay, I will give you one month.
- [38] Thank you, you can have a seat.
- [39] Anything, counsel? Besides Count 3?
- [40] CNSL J. PELLERIN: Nothing arising, Justice.
- [41] CNSL A. VALLEAU: No. Thank you.
- [42] THE COURT: Count 3?
- [43] CNSL J. PELLERIN: Yes. The Crown would like to direct a stay of proceeding with respect to Count 3 of the indictment.
- [44] THE COURT: Okay. Thank you.
- [45] CNSL J. PELLERIN: There is also the matter of a forfeiture order.
- [46] THE COURT: Right.

- [47] CNSL J. PELLERIN: An application was filed prior to the previous date. I do have a draft order.
- [48] THE COURT: Okay.
- [49] CNSL J. PELLERIN: And I am prepared to make submissions on that.
- [50] THE COURT: Can I see it? Or is this opposed?
- [51] CNSL A. VALLEAU: No, it is not, Justice.
- [52] THE COURT: Okay. Thank you.
- [53] CNSL J. PELLERIN: Perhaps I could file, it has been filed on June the 17th.
- [54] THE COURT: Thank you.
- [55] CNSL J. PELLERIN: I am providing another copy to Justice for ease of reference. It is a notice of application pursuant to s. 490.1(1) of the Criminal Code.
- [56] THE COURT: Right. Thank you.
- [57] CNSL J. PELLERIN: I also have
- [58] THE COURT: An order?
- [59] CNSL J. PELLERIN: a draft order.
- [60] THE COURT: Thank you.
- [61] CNSL J. PELLERIN: In sum, Justice, the Crown is seeking forfeiture of the Samsung Galaxy S7, it is police exhibit 22301S-1, with the accompanying SIM card; as well as Samsung Galaxy S21, which is police exhibit 22301A5-2, with the accompanying SIM card.
- [62] CNSL J. PELLERIN: As Justice is aware, Mr. Leznoff has pled guilty to two counts of conspiracy to commit murder and has been sentenced today on September the 12, 2025. The facts accepted for the purpose of sentencing establish that Mr. Leznoff had used text-based communications to commit those two offences.
- [63] THE COURT: Yes. I will make this order. [Submissions of counsel]
- [64] Thank you. Anything else?
- [65] CNSL A. VALLEAU: No, Justice.
- [66] CNSL J. PELLERIN: Nothing arising.
- [67] THE COURT: No. Thank you. "The Honourable Madam Justice Murray"

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