

Court No. - 86

Case :- CRIMINAL APPEAL No. - 713 of 1982

Appellant :- Sher Singh and another

Respondent :- State of U.P.

**Counsel for Appellant :- P.N. Lal, Apul Misra, R.P. Singh
Parihar**

Counsel for Respondent :- A.G.A.

Hon'ble Nalin Kumar Srivastava, J.

1. Heard learned counsel for the appellants and learned A.G.A. for the State.
2. The instant criminal appeal has been preferred by the appellants against the judgement and order dated 19.03.1982 passed by IVth Additional Sessions Judge, Pilibhit in Session Trial No.105 of 1981 arising out of Case Crime No.221 of 1980 whereby the appellants were convicted under Section 395 read with Section 397 IPC and were further sentenced to undergo rigorous imprisonment for seven years with fine of Rs.1500/- each along with default sentence.
3. The prosecution story, as unfolded in the First Information Report is that on 10/11.10.1980 at about 11:30 P.M., some dacoits came to the house of the informant, three dacoits out of which, one was taking double barrel gun were seen near the *khat* of the informant. Some other dacoits were standing outside the house and subsequently a dacoity was committed and the dacoit took the jewellerys of the ladies. They were

identified in the light of torch and lantern and when the villagers came over there, all the dacoits fled away with the jewellery making fire upon the public, however, one gun licence caused left over by them on the spot. They also made an assault during the incident and Smt. Vindra, the wife of brother of the informant, Katori, the mother and Rukhmani, the wife of the informant respectively sustained injuries. The F.I.R. was lodged on 11.10.1980 at 08:30 A.M. on the oral report narrated by the informant Maiku Lal and investigation started. During investigation, some of the robbed materials and weapons were recovered from the possession of accused Krishna Pal Singh, Sher Singh, Ravindra Pal Singh, Salik Ram and Ram Bhajan and they were arrested by the police and memo of arrest and recovery was prepared. The Investigating Officer of the case performed the proceedings of the investigation and subsequently, charge sheet under Sections 395 & 397 IPC was submitted against the five accused persons.

4. Cognizance of the offence was taken by the concerned Magistrate and the case was committed to the Court of Sessions being a Sessions triable case.

5. The Sessions Court proceeded to frame charge under Sections 395 & 397 IPC against accused Jawahar along with other co-accused persons whereas charge under Section 412 IPC was framed separately against the co-accused, namely, Salik Ram and Sher Singh and also against co-accused Krishna Pal Singh.

6. The prosecution in order to prove its case relied upon the oral as well as documentary evidence.

7. In oral evidence, P.W.-1 Maiku Lal, the informant, P.W.-2 Pyare Lal, the eye witness, P.W.-3 Smt. Vindra Devi, the injured, P.W.-4 S.D.M. Pilibhit Sri Krishna Rai witness of identification parade, P.W.-5 Constable Karan Singh, P.W.-6 Smt. Rukhmani, the eye witness, P.W.-7 Ram Bharose, witness of recovery of jewells, P.W.-8 S.I. Satyadev Yadav, the Investigating Officer, P.W.-9 Constable Jamadar Singh, the scribe and P.W.-10, the witness of identification of jewells have been examined.

8. In documentary evidence, written report Ex.Ka-1, memo of identification Ex.Ka-2, memo of identification of articles Ex.Ka-3, memo of search and recovery Ex.Ka-4 & Ka.-5, site plan of place of occurred Ex.Ka-6, memo of taking license Ex.Ka-7, memo of taking into possession the blank cartridges Ex.Ka-8, supurdaginama of letter Ex.Ka-9, site plan relating to place of recovery Ex.Ka-10, G.D. entry of accused persons in the police station Ex.Ka.-11, charge sheet Ex.Ka-12, copy of G.D. Ex.Ka.-13, G.D. of different motions Ex.Ka.-14 to Ex.Ka.-18 have been proved in evidence.

9. Apart from this, the jewellery and other articles received by the police have been identified by the prosecution witnesses and they have been marked as material Ex.-1 to material Ex.-12.

10. After completion of the prosecution evidence, the incriminating evidence and circumstances where put to

the accused persons in their statement under Section 313 Cr.P.C. wherein they claimed the prosecution evidence to be false and fabricated. They further states that the police team had come to their house in the next morning and took several articles from their house and the same was put before them showing it to be case property, which was robbed in commission of the dacoity whereas co-accused Sher Singh claims his ownership over some of the recovered articles, rest of the accused persons claims their false implication into the case on account of previous enmity.

11. The defence has relied upon the documents Ex.Kha-1 to Ex.Kha-3 in evidence which are the documents relating to identification proceedings and D.W.-1 Maharaj Singh and D.W.-2 Ganga Singh have been produced in oral evidence.

12. Before analysing the evidence on record and expressing any opinion regarding their genuineness, at the outset it is to be noted that out of three appellants in the appeal in hand appellant no.3 Jawahar is the sole surviving appellant before this Court. Appellant no.1 Sher Singh and appellant no.2 Ram Bhajan died and the appeal was abated qua them vide order dated 05.09.2023 and 10.05.2007 respectively. Hence, the instant appeal is operative only in respect of appellant no.3 Jawahar.

13. P.W.-1 Maiku Lal is the informant of this case, who has proved the factum of dacoity committed in his house in the night. He has explained that they were beaten by

the dacoits except three dacoits, the face of other dacoits was open and even the face of three dacoits, who were hiding their face with some cloth were also exposed during the incident in the light of lantern. P.W.-1 clarifies that the appellant- Jawahar is the native of his own village. Co-accused Krishna Pal was identified by him in the jail and he further approved this before the Court. He further states that he appeared for identification of the articles, who were robbed and out of ten articles, which were produced before P.W.-1, he identified material Ex.-1 to Ex.-6 & Ex.-9. Further he proves the written report in this case as Ex.Ka-1.

14. P.W.-2 Pyare Lal is the witness of fact, he is the brother of the informant and as per his deposition, the whole family of the informant was sleeping in the same house, the factum of dacoity committed in his house has been affirmed by P.W.-2. He has made specific statements that when the cloth, which was used to hide the face was opened, he immediately identified the surviving appellant- Jawahar material Ex.-1 to Ex.-8 have been identified by this witness. He also states that he had gone in the jail who identified the dacoits and before the court he further identifies co-accused Krishna Pal and Salik Ram.

15. P.W.-3 Smt. Vindra Devi the wife of P.W.-2 supports the evidence of her husband P.W.-2 and while explaining the story of dacoity she states that the present appellant- Jawahar was identified by her on the spot. Further,

material Ex.-1 to Ex.-9 have been identified by this witness also.

16. P.W.-4 S.D.M. Sri Krishna Arya was the officer who conducted the identification parade of the assailants and the recovered articles as well.

17. P.W.-5 Constable Karan Singh has been produced in order to prove the fact that the accused persons who were kept under secrecy and they could not be seen by any one.

18. P.W.-6 Smt. Rukhmani is the wife of the informant who affirms the factum of dacoity committed in her house. She makes a specific statement that the present appellant- Jawahar was identified by her however, she came to know his name subsequently. She further identifies the articles material Ex.-1, Ex.-2, Ex.-3, Ex.-5, Ex.-6 & Ex.-9 before the Court.

19. P.W.-7 Ram Bharose is the witness of arrest and recovery. He deposes in his evidence that on the request of police force, he accompanied them. Five accused persons were held by the police and before the Court Sher Singh, Salik Ram, Ram Bhajan and Krishna Pal the accused persons were identified by the P.W.-7. He also proves the jhola wherein the jewells were kept and proves it as material Ex.-11 and Ex.-12. He also identifies his thumb impression upon the memo of recovery of the jewells recovered from the accused Sher Singh and Krishna Pal.

20. P.W.-8 Satyadev Yadav is the Investigating Officer of this case who has proved the proceedings of the investigation, the arrest of the accused persons and recovery of the articles separately from the accused persons. He further proves site plan of the place of recovery as Ex.Ka-10, original G.D. as Ex.Ka.-11 and charge sheet Ex.Ka.-12.

21. So far as the appellant no.3 Jawahar is concerned, P.W.-8 states that he was arrested by the police on 12.10.1980. P.W.-8 further proves the copy of G.D. as Ex.Ka.-13.

22. P.W.-9 Constable Jamadar Singh as secondary witness for head moharrir Shishu Pal Singh proves the copies of G.D. as Ex.Ka.-14 to Ex.Ka.-18.

23. P.W.-10 was the person in-charge for identification proceedings in respect of recovered articles and he proves the same in his testimony.

24. On the basis of the aforesaid oral and documentary evidence, learned trial court proceeded to convict the accused persons, namely, Sher Singh, Ram Bhajan, Krisna Pal Singh and Jawahar vide impugned judgment and order. However, the co-accused Salik Ram died during the course of trial.

25. The impugned judgement and order was assailed by the learned counsel for the appellant on several grounds. He has mainly impressed upon the fact that no incriminating article had been recovered from the

possession of the present appellant. Although he is said to be identified by some village witnesses but as a matter of fact, he was not arrested by the police along with any other co-accused person rather his arrest was made by the Investigating Officer on 12.10.1980 as stated by the P.W.-8 the Investigating Officer. It is further submitted that no identification parade was conducted in respect of the present appellant. It is further submitted that no specific analysis and scrutiny of evidence has been made by the learned trial court in respect of the present appellant and he has only mentioned in the impugned judgement that whatsoever he has discussed and found in respect of co-accused Ram Bhajan is also applicable to the case of present appellant as well. The learned trial court totally ignored this aspect that the prosecution claims the recovery of some incriminating articles and arms from the possession of the accused persons, namely, Sher Singh, Ravindra Pal Singh, Salik Ram, Krishna Pal Singh and Ram Bhajan at the time of their arrest by the police but no incriminating articles or weapons were retrieved from the possession of the present appellant and in that way, his case differs from that of accused Ram Bhajan and both the cases cannot be placed on the same footing. It is further submitted that the learned trial court on the same set of facts and evidence extended benefit of doubt to co-accused Salik Ram but conviction was recorded against the present accused-appellant.

26. On the other hand, learned AGA vehemently opposed the submissions made by the learned counsel for

the appellant and it has been argued that the dacoity was committed to the house of the informant and the present appellant was well known to the informant and his family members as well and that is why the witnesses on spot identified the present appellant clearly in the light of Lantern when the Dhata, which was used to hide the face of the appellant opened suddenly and his face was exposed to the witnesses. It is further submitted that no false implication was plausible in this case because the informant and his family members were having no grudge or enmity with the present appellant. It is further submitted that the witnesses of fact support the prosecution case in material terms. It is further submitted that the place of occurrence is certain and F.I.R. has been lodged without any undue delay. The materials, which were taken by the dacoits during the commission of the crime have been identified by the witnesses and the accused persons, who participated in the commission of the crime were also identified by the witnesses during the course of investigation. The appeal having no force is liable to be dismissed.

27. In the light of the submissions and contentions made by the learned counsel for the parties, this Court proceeded to go through the impugned judgement and to examine the findings arrived at by the learned trial court.

28. The witnesses of fact, who have been examined as P.W.-1, P.W.-2, P.W.-3, P.W.-6 and P.W.-7, in their testimony have narrated the factum of the dacoity and

the whole incident in their deposition recorded before the Court. A close scrutiny of their evidence shows no material contradictions occurred in their evidence. The dacoits, who came to the house of the informant were identified by them in the light of lantern. Most of the dacoits were the native of the same village or of the neighbouring village and they were well known to the informant and the witnesses. So far as the present appellant is concerned, he was identified by P.W.-1 Maiku Lal before the court during the course of his evidence and it has been clearly stated by him that Jawahar is the native of his own village. Further, he has clarified that accused Jawahar is the real nephew of Ram Bhajan and their houses are adjacent to his own house. Further, he has also assigned a role of assault to the appellant-Jawahar and also stated that the appellant Jawahar was also assisting the dacoits in the commission of offence. P.W.-1 also narrates the whole incident of decoity and his medical examination performed consequent thereto and in his cross examination he has not made any statement, which goes materially adverse to the prosecution case.

29. P.W.-2 Pyare Lal also states in his examination-in-chief that he had seen the faces of Jawahar, Ram Bhajan and Sher Singh. Ram Bhajan and Jawahar belong to his own village. He identifies some of the accused persons before the Court and further he has also states that a small box was taken from the house of the informant by the accused persons, namely, Ram Bhajan, Sher Singh and Jawahar and their Dhatas opened when he himself was

trying to take it back from them. Further, he clarifies that the search of the house of Jawahar, Ram Bhajan or sister of Sher Singh was not conducted before him. P.W.-3 Bindra Devi also states in her examination-in-chief that Jawahar and Ram Bhajan were identified by her on spot in the light of lantern. She also identified the incriminating articles before the court.

30. P.W.-6 the other witness of fact also utters in the same manner and affirms this fact that the appellant Jawahar was identified by her along with Sher Singh and Ram Bhajan in the light of lantern at the time of incident. However, further in her cross examination, she states that when the dacoits fled away, some one disclosed the name of Ram Bhajan, Sher Singh and Jawahar and then she came to know the name of Jawahar. Prior to that she never went to his house nor Jawahar came to her house. Further P.W.-7, the another witness of fact narrates the incident of dacoity in his evidence like other witnesses of fact but notably in his entire testimony at no place, he discloses the name of present appellant Jawahar as one of the dacoits.

31. From the above, it is clear that the present appellant- Jawahar was undoubtedly participating in the commission of the dacoity along with other accused persons. Since he belonged to the same village, the informant and his family members were in a position to identify him and his dhata opened which further exposed him and he was very well identified by the witnesses in

the light of lantern. It is true that the prosecution nowhere claims that any incriminating article was recovered from his possession but this fact is not sufficient to exonerate the appellant from this case.

32. So far as the formal witnesses are concerned, P.W.-8 the Investigating Officer in his evidence states that accused Jawahar was arrested on 12.10.1980 by him but however, no other statement has been made by him in respect of the present accused-appellant except his arrest. Whether the identification parade regarding the present appellant was conducted or not, the evidence of P.W.-8 is silent over this issue but the learned AGA has argued that since he was well known to the informant and his family members and was already identified on the spot, there was no necessity to conduct his identification parade in the jail. P.W.-8 has explained the story of arresting and recovery from five accused persons, namely, Sher Singh, Ravindra Pal Singh, Salik Ram, Krishna Pal Singh and Ram Bhajan and he also identifies some incriminating articles before the Court. The whole investigation proceeding was proved by him and the relevant documents have also been proved by him during his evidence.

33. P.W.-5, P.W.-9 & P.W.-10 are other formal witnesses, who were entrusted with the duty to keep the accused persons in secrecy and the incriminating articles away from exposure and in sealed condition in the police

station and they have properly deposed the same before the court.

34. P.W.-4, the Sub Divisional Magistrate conducted the identification parade of the accused persons. He proves the factum of the said identification parade of the accused persons and that the case property as well and identification memos have been proved by him as Ex.Ka-2 & Ex.Ka-3.

35. Since the conviction of the appellant has been recorded under Section 395 IPC read with Section 397 IPC, it is desirable to peruse the provisions embodied under Sections 395 & 397 IPC, which read as under.

***“395. Punishment for dacoity-** Whoever commits dacoity shall be punished with imprisonment for life, or with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.*

***397. Robbery, or dacoity, with attempt to cause death or grievous hurt-** If, at the time of committing robbery or dacoity, the offender uses any deadly weapon, or causes grievous hurt to any person, or attempts to cause death or grievous hurt to any person, the imprisonment with which such offender shall be punished shall not be less than seven years.”*

36. For the sake of Section 397 IPC, a perusal of the medical evidence is also desirable. The attention of the Court is drawn to the fact that some injury reports are available on record pertaining to injured Rukhmani, Maiku Lal, Smt. Katori, Smt. Bindrawati but to the utter surprise to this Court, no medical evidence has been adduced to prove the aforesaid injury reports which

certainly are on record but neither proved nor exhibited in evidence. Hence, no reliance can be placed upon the aforesaid injury reports.

37. Learned counsel for the appellants has submitted that to bring home the charge under Section 397 IPC, the prosecution is under obligation to prove that any deadly weapon was used by the offender or grievous hurt was caused by him to any persons or any attempt has been made by him to cause death or grievous hurt to any persons in the course of commission of robbery or dacoity. I do not concur with the finding arrived at by the learned trial court for the application of Section 397 IPC in this matter. Mere saying by the injured persons that they sustained injuries in the incident and subsequently were medically examined, is not sufficient to bring the matter under the umbrella of Section 397 IPC as vehemently argued by the learned counsel for the appellant. He further argued that in such a situation, no conviction could be held under Section 397 IPC.

38. This Court finds that no doctor or other medical witness was produced by the prosecution to prove the injury reports of the injured persons available on record but a thorough perusal of the provisions of Section 397 IPC clarifies that to inflict grievous injuries to any person during the course of commission of dacoity is not sine qua non of the said offence. If any deadly weapon was used by the offenders at the time of committing the robbery or dacoity, it is sufficient to bring the matter

under the cover of Section 397 IPC. Hence, the fact relevant to be analysed in this aspect is to the effect that whether the present appellant Jawahar was carrying or used any deadly weapon at the time of committing robbery or dacoity and it is found that no prosecution witness avers anything in the connection. There is no evidence on record as to whether at the time of committing dacoity any weapon was taken by the present accused-appellant or not. In the F.I.R. and even in the statement of witnesses of fact, it is disclosed that the dacoits were carrying double barrel gun, country made pistol, lathi, danda etc. and empty cartridges were also recovered by the Investigating Officer from the place of occurrence but no arms were retrieved from the possession of the offenders except accused Ram Bhajan, Ravindra Pal and Salik Ram as admitted by P.W.-8, Investigating Officer himself. P.W.-8 also clarifies in his cross-examination that he had made a search of houses of Ram Bhajan and Jawahar and memo thereof was also prepared but the same is not on record because no incriminating article was recovered from the house of Ram Bhajan and Jawahar. Hence, it is found on the basis of evidence on record that firearms were recovered from the possession of accused Ram Bhajan, Ravindra Pal and Salik Ram but no firearm or any other deadly weapon was recovered from other accused persons including the present appellant Jawahar. Hence, it cannot be said that any deadly weapon was used by the present appellant at the time of committing dacoity. It is relevant to see that

the conviction of the accused persons in this case has been recorded under Sections 395 read with Section 397 IPC but without the aid of Section 149 IPC and no finding has been recorded by the learned trial court in respect of application of Section 141 to Section 149 IPC in the matter in hand. The trial court has made no finding of formation of unlawful assembly and rioting which further formulates that if the evidence of common object of unlawful assembly is not being established the accused persons shall be liable for their individual acts only. There is no specific evidence to the effect as to who made fire during the course of incident or who inflicted injuries to the injured persons. The story of sustaining grievous injuries by P.W.-1 or any other so called injured persons cannot be believed in the absence of relevant medical evidence. Further, there is no cogent evidence on record that the present appellant was carrying any deadly weapon or made use of the same or inflicted injuries to any or the accused persons during the occurrence. In the light of the aforesaid discussions, I find myself unable to concur with the findings arrived at by the learned trial court for the application of the provisions of Section 397 IPC in this case.

39. So far as the charge under Section 395 IPC is concerned, the appellant has been convicted for the aforesaid offence and he was sentenced for seven years rigorous imprisonment with fine of Rs.1500/- under Section 395 IPC read with Section 397 IPC. The facts and evidence on record shows that no material overt act was

performed by the present appellant during the course of occurrence. Although there are some material contradictions in the deposition of witnesses of fact in respect of involvement of the present appellant in the alleged crime of dacoity but this Court realises that the submissions made by the learned counsel for the sole surviving appellant in respect of the sentence awarded by the learned trial court be also considered.

40. Learned counsel for the sole surviving appellant submits that the incident of this case occurred in the year, 1980 and no incriminating articles or jewells have been recovered from the possession of the accused appellant. He is not charged for making use of any weapon or arms in the commission of crime. It is next submitted that the appellant at the time of recording of his statement under Section 313 Cr.P.C. on 23.01.1982 disclosed his age as of about 20 years and the court on its own perception recorded his age as of 30 years at the time of recording his statement under Section 313 Cr.P.C. It is further submitted that the period of about 44 years has elapsed since the occurrence happened and at present, the appellant should be an old aged person aged about 72 years and must be a repenting man. It is next submitted that he has been in jail in this case for a considerable period of time. He has further submitted that the appellant may be released on the basis of the period already undergone by him in this matter and this Hon'ble Court in its discretion may increase the amount of fine.

41. Learned AGA considering the age and the long pendency of the appeal has made no objection to the submission made by the learned counsel for the appellant.

42. The submissions made by the learned counsel for the appellant take me to the quantum of sentence.

43. The principle of law is well settled that the principle of proportionality between the punishment and crime cannot be brushed aside and the sentence must be just and proper. No doubt the concept of proportionality permits of discretion to the Court but the same has to be guided by certain principles. Hon'ble Supreme Court in *Raj Bala vs. State of Haryana & Ors (passed in Special Leave Petition (Crl.) Nos.4099-4100 of 2015)* and *Sumer Singh vs. Surajbhan Singh and others, (2014) 7 SCC 323*, in this context, has observed that neither the personal perception of a Judge nor self adhered moralistic vision nor hypothetical apprehensions should be allowed to have any play. There can neither be a straitjacket formula nor a solvable theory in mathematical exactitude. Similarly an offender cannot be allowed to be treated with leniency solely on the ground of discretion vested in a Court. The real requisite is to weigh the circumstances in which the crime has been committed. The discretion should not be in the realm of fancy. It should be embedded in the conceptual essence of just punishment. A Court while imposing sentence has to keep in view the various complex matters in mind. In respect of certain offences, sentence can be reduced by giving adequate special

reasons but the special reasons have to rest on real special circumstances.

44. In **Ravada Sasikala vs. State of A.P.** AIR 2017 SC 1166, the Hon'ble Supreme Court referred the judgments in **Jameel vs State of UP** [(2010) 12 SCC 532], **Guru Basavraj vs State of Karnatak**, [(2012) 8 SCC 734], **Sumer Singh vs Surajbhan Singh**, [(2014) 7 SCC 323], **State of Punjab vs Bawa Singh**, [(2015) 3 SCC 441], and **Raj Bala vs State of Haryana**, [(2016) 1 SCC 463] and has reiterated that, in operating the sentencing system, law should adopt corrective machinery or deterrence based on factual matrix. Facts and given circumstances in each case, nature of crime, manner in which it was planned and committed, motive for commission of crime, conduct of accused, nature of weapons used and all other attending circumstances are relevant facts which would enter into area of consideration. Further, undue sympathy in sentencing would do more harm to justice dispensations and would undermine the public confidence in the efficacy of law. It is the duty of every court to award proper sentence having regard to nature of offence and manner of its commission. The Hon'ble supreme court further said that courts must not only keep in view the right of victim of crime but also society at large. While considering imposition of appropriate punishment, the impact of crime on the society as a whole and rule of law needs to be balanced. The judicial trend in the country has been towards striking a balance between reform and punishment. The protection of society and

stamping out criminal proclivity must be the object of law which can be achieved by imposing appropriate sentence on criminals and wrongdoers. Law, as a tool to maintain order and peace, should effectively meet challenges confronting the society, as society could not long endure and develop under serious threats of crime and disharmony. It is therefore, necessary to avoid undue leniency in imposition of sentence. Thus, the criminal justice jurisprudence adopted in the country is not retributive but reformative and corrective. At the same time, undue harshness should also be avoided keeping in view the reformative approach underlying in our criminal justice system.

45. In the instant case, criminal machinery came into motion about 44 years ago and the present appeal has been pending for a long period of 42 years. There is nothing on record to show that the appellant is previous convict or having any criminal antecedents. Also the accused-appellant alone cannot be held responsible for long delay in disposal of this appeal. He is an old person at present and should be a repenting man. It has been submitted and also finds support from the record that the appellant remained in custody for some considerable period of time in this case.

46. Hence, considering all aspects of the matter, in my view, no useful purpose would be served by sending accused-appellant in judicial custody at this stage, rather in the aforesaid peculiar circumstances, it would be in the

interest of justice if in lieu of seven years rigorous imprisonment he may be sentenced for the period already undergone by him in this case and fine imposed upon him may also be enhanced which would be an adequate punishment to him in the entire circumstances of this case.

47. Resultantly, the appeal is partly **allowed**. The conviction of the appellant for the offence under Section 395 IPC is upheld but his conviction under Section 397 IPC is set aside and further the sentence of seven years rigorous imprisonment awarded by the trial court vide impugned judgment and order is converted into the period already undergone by him alongwith a fine of Rs. 3,000/-.

48. Appellant is on bail. He need not surrender. His bail bonds are cancelled and sureties are discharged. The amount of fine shall be deposited within three months from today failing which the appellant will have to undergo for one month imprisonment as default sentence.

49. A copy of this order alongwith trial court record be transmitted to the Sessions Judge, Pilibhit for necessary compliance.

Order Date :- 19.9.2024
Sanjeet