

Neutral Citation No. - 2025:AHC:138374-DB

Court No. - 44

Case :- CRIMINAL APPEAL No. - 1971 of 1984

Appellant :- Rakesh And Others

Respondent :- State of U.P.

Counsel for Appellant :- Raghuvansh Misra,Rahul Misra

Counsel for Respondent :- A.G.A.

Hon'ble Saumitra Dayal Singh,J.

Hon'ble Tej Pratap Tiwari,J.

1. Heard Sri G.S. Chaturvedi, learned Senior Advocate assisted by Sri Raghuvansh Misra and Sri Rahul Misra, learned counsel for the appellants and Sri L.D.Rajbhar, learned AGA for the State.

2. Present criminal appeal arises from the judgement and order dated 07.07.1984, passed by Sri S.C.M. Tripathi, IInd Additional Sessions Judge, Shahjahanpur in S.T. No. 71 of 1982, (State Versus Rakesh, Rajendra and Atma Ram). Thereby, appellant no. 1. Rakesh has been convicted for the offence under Section 302 IPC and sentenced for life. Appellant no. 2 Rajendra and Appellant no. 3 Atma Ram, have been convicted for the offence under Section 302 read with Section 34 IPC, and sentenced for life. All the appellants were granted bail, pending this appeal. The appellant no. 3, Atma Ram died during pendency of this appeal. His appeal was declared abated, vide order dated 10.05.2018.

3. Prosecution story arose on the strength of Written Report dated 02.10.1981 submitted by Hari Sharma (PW-1), narrating that his cousin Surendra Nath had been killed at about 4:30 PM at village Karnapur, District Shahjahanpur on 02.10.1981 by the appellants wherein the appellant no. 1 Rakesh had fired at the deceased with his double barrel breach loading (DBBL) gun while appellant no. 2, Rajendra had fired in the air to create terror with his single barrel

breach loading (SBBL) gun while the appellant no. 3, Atma Ram had participated in that occurrence with common intention, with a lathi. The Written Report is Ex. Ka-1 at the trial. On that Written Report, FIR was registered at Police Station Banda, District Shahjahanpur at about 6:10 PM. It is Ex. Ka-3 at the trial. The next day, on 03.10.1981 a pellet was recovered from the place of occurrence. That Recovery Memo is Ex. Ka-12 at the trial. Also, that day recovery of plain earth was made from the place of occurrence. That Recovery Memo is Ex. Ka-10 at the trial. Sample of blood stained earth was also recovered from the place of occurrence on 03.10.1981. That Recovery Memo is Ex. Ka-11 at the trial. Two Search Memos were prepared on 03.10.1981. However, they did not result in any recovery. Those are Ex. Ka-14 and Ka-15 at the trial.

4. On 03.10.1981 between 6:00 AM and 7:55 AM Inquest Report was prepared by the Investigation Officer, Parasnath Singh (PW-4) at the trial. It is Ex. Ka-5. That day at about 4:00 PM autopsy examination was conducted on the dead body of the deceased by Dr. M.K. Tandon (PW-3). Therein, the following antemortem injuries were recorded.

"1- Gunshot wound of entry 1.5cm x 1.5cm x muscle deep on right side neck, 4cm below right angle of mandible. Blackening around wound present. Margins inverted Direction of wound from front and right side to backwards and left.

2- Gunshot wound of exit 1.5cm x 1.5cm x muscle deep a through & through on back side forearm right right side communicating to injury no.1 on right side neck, left of injury no.1. Margins everted.

3- Gunshot wound of entry 1.5cm x 1.5cm x chest to abdomen deep on right side abdomen 18cm below and away from right nipple to right side around 21cm above and to right of umbilicus. Blackening around wound present. Margins inverted. Direction from front and right side ak to back and left side and slightly upwards.

4- Gunshot wound of exit 1.8cm x 1.8cm x chest cavity deep on left side back 14cm below in angle left scapuls. Margins everted communicating to injury no.3.

5- Abrasion 2cm x 1.5cm on right side back 9cm inner to ti of right shoulder."

5. According to that report, the cause of death was shock and haemorrhage caused by ante mortem injuries. The Autopsy Report is Ex. Ka-2 at the trial.

6. Also, as may be relevant for our discussion to follow, it may be noted, upon his arrest on 03.10.1981, the appellant-3, Atma Ram (since deceased) was subjected to medical examination conducted by Dr. Lalit Kumar (DW-1) at the trial. In that examination, he noted the following injuries suffered by appellant no.3, Atma Ram

"Injury-1. Lacerated wound 4 cm. x 1 cm. x bone deep over top of the host 16 cm. above from the root of the nose.

2. Lacerated wound 1 cm. x .5 cm. x micle deep over right side of forehead 1 cm. above from the inner end anxxbaze of right eye brow.

3. Abraison 1 cm.x 0.3 cm. over front of rose nest the root.

4. Four gun shot wound of entry with inverted margins 0.2 cm. in diameter & depth unprobed over an area of 11 cm. x 5 cm. over right arm immer and front side 13 cm. below from top of the right shoulder joint.

5. Punched wolant 1 cm. x .5 cm. x(2 cm.) upwards over outer side of right elbow Joint.

6. Five gin shop wound of entry with inverted margins of over an area of 27 cm. x 8 cm. over chest and abdomen/of right side diameter 2 cm. x depth unprobed.

7- Four gun shot wound of entry with inverted margins .2 cm. in diameter x depth unprobed over loft side of chest in ar area of 13 cm x 12 cm.

8. Two gun/wound shot/of entry with inverted margin .2 cm. over front & immer site diameter x depth unpro bed Part of right thigh 8 cm./upper 1/3rd

of thigh."

The said injury report is Ex. Kha-2 at the trial.

7. Arising from the same occurrence, a cross case was registered against the informant side. Upon investigation, charge-sheet was also submitted. The informant side was also charged in that case. Charge was framed under Section 307 I.P.C. Yet, they came to be acquitted, in that case.

8. Upon completion of investigation, in the present case, charge-sheet was submitted. Upon the case being committed for trial to the Court of Sessions, following charges came to be framed against the appellants :-

(i) Against appellant no. 1, Rakesh:-

"That you, along with other co-accused, on 2.10.81 at about 4-30 p.m. in village Karnapur within P.S. anda, district Shahjahanpur did coseit murder by intentionally and knowingly causing the death of Surendra Math by shooting his with gun and thereby committed in offence punishable under section 302 IFC and within the cognizance of this court."

(ii) Against appellant no. 3, Atma Ram:-

"That you, along with other co-accused, on 2.10.31 at about 4-30 p.m. in village Karnapur That you, along with other co-accused, within P.S. Banda, district Shahjahanpur your co-accused Saitesh did commit murder by intentionally and knowingly causing the death of Surendra Hath with his gun and you thereby committed an offence punishable under section 302 rend with section 34 INC and within the cognizance of this court."

9. At the trial, besides relying on the above documentary evidence, the prosecution also relied on oral evidence led through five witnesses. In that the first informant, Hari Sharma was examined as PW-1. Dhruv Sharma was examined as PW-2. Both witnesses offered similar ocular account of the occurrence. They narrated, they are cousins of

the deceased. Their agricultural field was situated 250 to 300 yards from the agricultural field of the deceased. There were pre-existing disputes between the witnesses and the appellants involving one proceeding under Section 107 Cr.P.C.

10. As to the occurrence, they described-at about 4:30 PM on the date of occurrence, the deceased was levelling his agricultural field while the witness were filling up a pit on their agricultural field along with Pramod (not examined at the trial). There they saw the deceased calling for help and ran towards them. He was being chased by appellant no. 1, Rakesh armed with a DBBL gun. The said appellant was threatening to kill the deceased. Being thus chased, the deceased reached the agricultural field of the appellants. At that moment, the appellant no. 2, Rajendra armed with his SBBL gun and Atma Ram armed with a lathi reached the place of occurrence from north, emerging from another agricultural field. They caught hold of the deceased and threw him to the ground. At that moment, appellant no. 2, Rajendra fired in the direction of the witnesses and threatened them with dire consequences if they came near. Thereafter, the appellant no. 1, Rakesh shot at the deceased twice, from close distance. Both shots hit the deceased.

11. Thereafter, the assailants fled from the scene firing shots in the air. They further disclosed, at that time the appellant no. 3, Atma Ram who is the father of the other appellants Rakesh and Rajendra questioned his sons if they were going to kill him too? Last they proved, in all six shots was fired in that occurrence.

12. Dr. M.K. Tandon was examined as PW-3. He proved the autopsy examination report and the injuries received by the deceased. Thereafter, the Investigation Officer, Parasnath was examined as PW-4. He proved the recoveries and the steps of investigation. Last,

Constable Ram Das Verma was examined as PW-5. He proved steps taken with respect to carrying of the dead body and handing it over.

13. Thereafter, statements of the accused persons were recorded under Section 313 Cr.P.C. Appellant no. 2, Rajendra explained, when he reached the place of occurrence he found Atma Ram lying injured. He brought him back.

14. In that state of the evidence, the learned Court below has convicted the appellants and sentenced them accordingly, as noted above.

15. Learned Senior Counsel appearing for the appellants would submit, the entire prosecution story is ridden with reasonable doubts. In-fact it is not true even as to its basic aspect i.e. the genesis of the dispute or the manner in which it was caused. No independent eye witness account exists. Only interested witnesses have been put up by the prosecution. Even otherwise, the evidence led by those witnesses is wholly improbable and conflicted.

16. Elaborating, it is submitted, it is admitted to the prosecution that the occurrence was caused on the agricultural field of the appellant no. 3, Atma Ram. Starting from the FIR and even in the context of evidence led by Hari Sharma (PW-1) and Dhruv Sharma (PW-2) that is the only truth spoken in the prosecution story. Second, it is an admitted case of the prosecution that the agricultural field of the deceased was adjoining the agricultural field of appellant no. 3, Atma Ram. Third, it is own case of prosecution that the agricultural field of the two eye witnesses was the closest to the agricultural field of appellant no. 3, Atma Ram about-250-300 yards away.

17. In that context, the informant side including the deceased were the aggressors. In the context of old animosity cited by Hari Sharma and Dhruv Sharma (PW-1 and PW-2), the informant side arrived on the

agricultural field of Atma Ram and assaulted him. In that he suffered serious injuries including two lacerated wounds, one abrasion injury, one punctured wound and four firearm injuries. Those were duly proven at the trial. None of them have been explained by the prosecution. Reliance has been placed on the judgement of Hon'ble Supreme Court in the case of **Lakshmi Singh vs. State of Bihar (1976) 4 SCC 394** as followed in the case of **Nand Lal and others vs. State of Chhatisgarh (2023) 10 SCC 470**. For ready reference the relevant discussion made in **Nand Lal (supra)** is quoted below:

“25. In Lakshmi Singh v. State of Bihar, which case also arose out of a conviction under Section 302 read with Section 149 IPC, this Court had an occasion to consider the issue of non-explanation of injuries sustained by the accused. This Court, after referring to the earlier judgments on the issue, observed thus: (SCC pp. 401-402, para 12)

"12. It seems to us that in a murder case, the non-explanation of the injuries sustained by the accused at about the time of the occurrence or in the course of altercation is a very important circumstance from which the court can draw the following inferences:

(1) that the prosecution has suppressed the genesis and the origin of the occurrence and has thus not presented the true version;

(2) that the witnesses who have denied the presence of the injuries on the person of the accused are lying on a most material point and therefore their evidence is unreliable;

(3) that in case there is a defence version which explains the injuries on the person of the accused it is rendered probable so as to throw doubt on the prosecution case.

The omission on the part of the prosecution to explain the injuries on the person of the accused assumes much greater importance where the evidence consists of interested or inimical witnesses or where the defence gives a version which competes in probability with that of the prosecution one. In the instant case, when it is held, as it must be, that the appellant Dasrath Singh received serious injuries which have not been explained by the prosecution, then it will be difficult for the court to rely on the evidence of PWs 1 to 4 and 6,

more particularly, when some of these witnesses have lied by stating that they did not see any injuries on the person of the accused.

Thus neither the Sessions Judge nor the High Court appears to have given due consideration to this important lacuna or infirmity appearing in the prosecution case. We must hasten to add that as held by this Court-in State of Gujarat v. Bai Fatima there may be cases where the non-explanation of the injuries by the prosecution may not affect the prosecution case. This principle would obviously apply to cases where the injuries sustained by the accused are minor and superficial or where the evidence is so clear and cogent, so independent and disinterested, so probable, consistent and creditworthy, that it far outweighs the effect of the omission on the part of the prosecution to explain the injuries. The present, however, is certainly not such a case, and the High Court was, therefore, in error in brushing aside this serious infirmity in the prosecution case on unconvincing premises.”

18. In the absence of any explanation to the injuries suffered by the appellant Atma Ram, the prosecution story may never be believed as the prosecution has suppressed the genesis and origin of the dispute and therefore the occurrence. Also, the witnesses have deliberately spoken falsehood and made material improvements to the prosecution story-by first narrating at the trial that the injuries suffered by Atma Ram may have been caused by the appellants Rajesh and Rajendra. Besides being belated and material improvements that attempt is half-hearted and unreliable, inasmuch as, no explanation has been offered even at that belated stage- with respect to, two lacerated wounds, one abrasion and one punctured wound suffered by the appellant Atma Ram. Therefore, those witnesses who are otherwise wholly interested are unreliable. Third, defence version brought forth in this case on the strength of medical evidence duly proven at the trial offers a more probable account/version of the occurrence.

19. Dr. Lalit Kumar (DW-1) specifically proved that injury nos. 1 and 2 were suffered by Atma Ram may have been caused by a lathi i.e. hard blunt object. While injury no. 3 was an abrasion injury and injury no. 5, punctured wound may have been caused with a pointed weapon. The other four injuries were opined to have been caused by firearm. He clearly denied the suggestion that the injuries nos. 1, 2 and 5 may have been fabricated. During his cross-examination that was not

doubted.

20. It has been next submitted that the medical evidence led by the prosecution through Dr. M.K. Tandon (PW-3) wholly contradicts the ocular version inasmuch as according to Dr. Tandon, the injuries to the deceased may have been caused by use of firearm from a distance of 3 to 4 feet. In absence of any scorching and singeing, besides lack of tattooing and blackening, the injuries suffered by the deceased may not have been caused from near point blank range as narrated by the prosecution.

21. Last, it has been submitted that the prosecution story is wholly improbable on many counts, first, the agricultural field of the parties were not adjoining. In that the version that the chase began from the field of the deceased to the field of the appellant Atma Ram wherein though the deceased was trying to save himself from the assault, he did not run towards his near relatives i.e. Hari Sharma and Dhruv Sharma (PW-1 and PW-2) who were at one point barely 250 yards from the deceased being chased by the appellants who were about 750 yards behind him, but he ran into the agricultural field of the appellants where he was brought down by appellant no. 2 Rajendra, appellant no. 3 Atma Ram is unbelievable.

22. Even that part of the story is wholly improbable as the eye witnesses have narrated that the appellant Atma Ram aged about 50 years held his lathi in his armpit while appellant Rajendra held his DBBL gun in his hands as they threw the deceased on the ground. Further improbability has been suggested inasmuch as while such an occurrence would consume time to complete, his able bodied near and dear relatives who were standing closer to him than the assailants neither intervened nor the deceased sought their help. In that the ocular witnesses themselves specifically proved that assailants did not

fire a single shot at the deceased while he was being chased. The statement that certain aerial shots were fired to scare the witnesses, is nothing but an eyewash. It is in the entirety of the facts narrated by the prosecution witnesses, it is wholly improbable.

23. As to the true version, it has been stated that Atma Ram was present on his agricultural field with his DBBL gun when for the reason of earlier bad relations suffered by the parties, he was assaulted amongst others by the deceased, Hari Sharma (PW-1) and Dhruv Sharma (PW-2). He was pinned to the ground and shot at. At that moment, he exercised his right of private self defence wherein a single shot was fired from his DBBL gun, at the deceased.

24. Since, Atma Ram received three types of injuries, it has been submitted that those injuries wholly corroborate involvement of three accused persons wherein they caused two lacerated wounds; one punctured wound and, four firearm injuries to Atma Ram, clearly indicating three weapons one firearm, one pointed weapon and a hard and blunt object, such as lathi, used in the occurrence.

25. On the other hand, Sri L.D. Rajbhar, learned AGA would submit that the prosecution story emerged wholly promptly. Arising from the occurrence at 4:30 PM at 02.10.1981, the F.I.R. was lodged on 06:10 PM. Existence of prior animosity between the parties is also duly proved. The place of occurrence is undisputed. As to the role of appellants, direct evidence has been led that the appellants Rajendra and Atma Ram held the deceased while the appellant Rajesh shot with his double barrel gun. No contradiction emerged during their cross examination. The occurrence was witnessed by the two eye witnesses Hari Sharma (PW-1) and Dhruv Sharma (PW-2) from a close distance of 20 to 25 feet. Therefore, there is no reason to doubt the same. They were natural witnesses. Being agriculturists, they were present on

their agricultural field. No doubt has been raised by the defence as to the visibility of the place of occurrence from the place where those witnesses were standing. The medical evidence wholly corroborates the ocular evidence inasmuch both types of evidence only narrate firing of two shots. Since the weapon used was DBBL gun, there is no doubt, on that count, either. As to cross version, it was only an eyewitness. That has been rightly disbelieved by the learned court below. All injuries suffered by the appellant Atma Ram were self-inflicted to the extent they were caused by the other appellants-while carrying out a deadly assault on the deceased.

26. Having heard counsel for the parties and having perused the record, two things are undisputed in the present case. First, the F.I.R. is prompt with respect to an occurrence of date and time, therefore, there is no doubt as to source of light etc. Second, it is admitted that the occurrence was caused on the agricultural field of Atma Ram.

27. In view of the above, during his cross-examination Hari Sharma (PW-1) specifically admitted that he along with Dhruv Sharma (PW-2) and Satyabhan were named as the accused persons in the cross case lodged by the appellants' side. He also specifically admitted that in the occurrence the appellant Atma Ram received pellet injuries caused by a firearm and also injuries caused by lathi. That admission is categorical. Also, it cannot be denied that the appellant Atma Ram had also received a punctured wound. Once the injury received by Atma Ram in the occurrence is admitted to the three prosecution witnesses, the nature and extent of injuries proven by Dr. Lalit Kumar (DW-1) cannot be doubted. In fact, he was never questioned by the prosecution with respect to the four firearm injuries suffered by Atma Ram.

28. In the context of that established fact, Hari Sharma (PW-1) also

admitted, he had not made any previous statement or allegation to the police-either through the F.I.R. or during investigation that the appellant Atma Ram asked his sons if they were going to kill him too. He further admitted that he had made the statement for the first time, in Court (during his examination in chief). Similar statement was made by Dhruv Sharma (PW-2).

29. Then, both the witnesses Hari Sharma (PW-1) and Dhruv Sharma (PW-2) maintained that the deceased had been chased for some distance and for some time before the occurrence was caused. In that regard, they narrated that at the time of the occurrence, the deceased was levelling his field while they (witnesses) were filling up a pit on their field. At that time, they saw the deceased being chased by the appellant Rakesh only. After the deceased reached the agricultural field of the appellant, Rakesh and Atma Ram joined Rajendra and they threw the deceased to the ground. Thereafter, Rajendra shot dead the deceased. During his cross-examination, Hari Sharma (PW-1) disclosed, while fleeing from the assailant Rajendra, the deceased reached the place about 19 to 20 paces from them. However, the deceased did not run (to save himself), towards witnesses. Rather, he chose to run in the other direction, on to the field of the appellant Atma Ram.

30. On the other hand, Dhruv Sharma (PW-2) stated that he first saw Surendra (at a distance of about 20 to 30 feet) being chased by Rakesh who were 100 to 125 paces behind. Though, he asked the deceased to come to him, the deceased went the other way.

31. Clearly the version offered by the prosecution becomes doubtful in that nature of occurrence as narrated. If the prosecution version is to be believed, the appellants/assailants had caught up with the deceased on his agricultural field while he was levelling the same. Instead of

shooting at him with their firearm, they somehow chose to chase him for some distance-not less than 100 to 200 paces so as to bring him on their agricultural field (which also was a open place), to shoot him. In that transaction, they also ran by the two eye witnesses, who were standing on their agricultural field and who though wanted to help and had called out the deceased to come to them, they were somehow disabled from running to help him or to stop the assailants. Though, firearms are described to have been used to threaten and the witnesses to intervene, no firearm injury was received by either of the witness and there is no recovery or other evidence to believe the prosecution story of any firearm being used to dissuade the witnesses from intervening.

32. Besides, the a recovery of a single pellet, there is absolutely no other recovery and there is no report of Forensic Science Laboratory to corroborate the narration made by PW-1 and PW-2. In that light the conduct of the eye witnesses Hari Sharma (PW-1) and Dhruv Sharma (PW-2) is also unnatural and, therefore, suspected. While there pre-existed disputes between the parties, involving those witnesses (as proven by Hari Sharma, PW-1), they remained mute spectators.

33. Improbability also exists as the prosecution chose to describe the manner in which the deceased was brought down before being shot at. In that Atma Ram is described to have held 'lathi' in his armpit while Rajesh held his SBBL gun with both his hands as the two accused persons are described to have brought down the deceased.

34. Seen in that light, the medical evidence does acquire relevance. Though, the salutary principle exists that ocular evidence may not be disbelieved on the strength of medical evidence, at the same time where the nature of occurrence (as described), is found wholly not corroborated by the medical evidence, it may remain with the court to

consider the impact of such incompatibility between the ocular account and the medical opinion, in the entirety of the facts and circumstances of an individual case.

35. Here the Dr. M.K. Tandon (PW-3) has clearly proven that the nature of injuries received by the deceased may have been caused from a distance of 3 to 4 feet whereas ocular witnesses claimed that the deceased was shot dead practically from point blank range. In the entirety of the discussion made above, that does lead us to doubt the credibility of the ocular version.

36. From the above discussion, in the first place there is absolutely no material to doubt the 8 injuries suffered by Atma Ram in the same occurrence. The fact that those injuries were caused in the same occurrence, is specifically admitted to the ocular witness Hari Sharma (PW-1), produced by the prosecution. The manner in which such injuries came to be received has not been explained by the prosecution, at all. We are mindful, at the core of those injuries is a gun shot injury, as may have been caused with a deadly weapon. That fact is clearly proven on the strength of unquestioned/undoubted medical opinion of Dr. Lalit Kumar (DW-1).

37. Leaving the abrasion injury apart, there are two lacerated wounds on vital body part of Atma Ram i.e. both on his forehead and there is one punctured wound on a non vital part. Once, it was admitted to the prosecution that such injuries caused by different weapons had been suffered by the accused, it remained an undischarged burden of the prosecution to explain how such injuries came to be inflicted. The lame suggestion offered by Hari Sharma (PW-1) and Dhruv Sharma (PW-2) that such injuries may have been caused by the other accused, namely, Rakesh and Rajendra, does not inspire any confidence with us. First, that explanation for whatsoever it is worth, is partial and

vague. It neither explains the two lacerated wounds caused on a vital body part of Atma Ram and it also does not explain either the abrasion or the contusion or the punctured wound suffered by Atma Ram. As to the gun shot injuries, it is vague as that explanation neither specifies the author nor the manner of that injury caused. That lame suggestion was made for the first time, at the trial and at no earlier point of time. Even that fact became admitted to Hari Sharma (PW-1) during his cross-examination.

38. Keeping that in mind, the other admitted fact that the occurrence was caused on the agricultural field the accused Atma Ram, the genesis of the dispute/occurrence as put forth by the prosecution also does not inspire confidence. In the face of inimical relations pre-existing between the witnesses and the appellants, also proved by Hari Sharma (PW-1), and in the absence of any independent witness such as Satyabhan (never examined at the trial), we are not in a position to treat the deposition made by Hari Sharma (PW-1) and Dhruv Sharma (PW-2) as reliable. They are wholly interested witnesses, who have made similar statements to the court including therein similar lame excuse/explanation of the injuries suffered by Atma Ram. Both are brothers. To that extent, we have no hesitation in reaching a conclusion that they are wholly unreliable.

39. Last, it may be noted that though the above is sufficient for the decision of this appeal, to make our discussion complete, we do record that the defence explanation inspires more confidence as to how the occurrence may have been caused. Atma Ram who may have been present on his agricultural field, he may have been confronted by the informant side, wherein he first received the three nature of injuries noted above. Being harmed, he may have fired with his DBBL gun resulting in the fatal injuries suffered by the deceased. Clear suggestions to that effect were made during the cross-examination of

Hari Sharma (PW-1) and Dhruv Sharma (PW-2). Also, the statement under Section 313 Cr.P.C. made by Atma Ram and Rajendra, clearly contained that suggestion, as well.

40. In view of the above discussion, the appeal is allowed. The judgment and order dated 07.07.1984 is set aside.

41. The appellants are on bail. They need not to surrender. Their bail bonds are cancelled and sureties discharged. However, appellants are directed to furnish bail bonds in compliance of Section 437-A Cr.P.C. to the satisfaction of the Court concerned, within two months from today.

42. Copy of this judgment along-with original records of Court below be transmitted to the Court concerned for necessary compliance. Compliance report be submitted to this Court at the earliest. Office is directed to keep the compliance report on record.

Order Date :- 13.8.2025/PS/Manoj

(Tej Pratap Tiwari,J.) (S.D.Singh, J.)