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Reserved on 17.03.2025

Delivered on 26.05.2025

Court No. -44

Case :- CRIMINAL APPEAL No. - 395 of 1983

Appellant :- Chatur Behari And Others

Respondent :- State of U.P.

Counsel for Appellant :- Satish Trivedi, Sheshadri Trivedi

Hon'ble Siddhartha Varma, J.

Hon'ble Ram Manohar Narayan Mishra, J.

(Delivered by Hon'ble R.M.N. Mishra, J.)

1. Heard Sri Ajay Kumar Pandey, learned counsel for the appellant as well as Sri Rahul Asthana, learned A.G.A. for the State-respondent and perused the material available on record.

2. Instant Criminal Appeal has been preferred by the convicts accused persons against the judgment and order dated 31.08.1983 passed by Learned Additional Session Judge, VI Bareilly in S.T. No.548 of 1981 arising out of Case Crime No.135 of 1981, under Sections 147, 148, 149 and 302 I.P.C., P.S., Aliganj, District Bareilly. Where by Shyam lal, Chatur Behari, Shanker, Bhagwan Das, Sohan Lal, Pooran Lal, Khushali, Dhan Pal, Dauli, Dhan Singh, Ganga Ram, Baboo Ram and Room Singh were convicted of charge under Section 302/149 and 148 IPC and sentenced to imprisonment for life for charge under Sections 302/149 IPC and two years rigorous imprisonment for charge under Section 148 IPC. They were acquitting of charge under Section 307/149 IPC.

3. The convict/ accused persons had filed three criminal appeals separately against said judgment and order Criminal Appeal No. 365 of 1983 was filed on behalf of Shanker, Khushali, Dauli, Dhan Singh, Ganga Ram abated vide orders of this Court dated 25.10.2021, due to death of all the convict/accused persons during the pendency of their

appeal. Similarly Criminal Appeal No.394 of 1983 was also dismissed as abated vide order of this Court dated 14.03.2016, on account of death of appellant Shyam Lal. Thus, Criminal Appeal No.395 of 1983 is only under consideration in this judgment. This is noteworthy that during the pendency of present criminal appeal appellants Chatur Behari, Bhagwan Das, Dhan Pal, Pooran Lal, Baboo Ram and Room Singh also died on some point of time or the other and the appeal had also been dismissed as abated vis-a-vis them. Therefore, the present appeal is only considered in respect of surviving appellant Sohan Lal. He has already been released on bail together with other appellants in present appeal.

4. From perusal of record, the prosecution case as appearing from FIR version and investigation may be summarized in the following manner that in the intervening night of 2/3 September, 1981 at about 12:00 hours in village Khajuhai P.S. Aliganj, Tehsil Bhamaura, Aonla, District Bareilly, the complainant Chimman Lal and his three other brothers Maya Ram, Mohan Lal (The first deceased) and Pearey Lal (the second deceased) were sleeping on a Chabutra out side their Chaupal (Baithak). The complainant Chimman Lal heard the noise of some foot steps whereupon he got up and lighted his torch. Just then his another brother Maya Ram also got up and lighted his torch. They saw the accused Shyam Lal, Chatur Behari, Shanker, Bhagwan Das, Sohan Pal, Pooran Lal and Khushali armed with guns. The accused Dhanpal, Dauli, Ganga Ram and Dhan Singh were armed with Bhalas and the accused Baboo Ram and Room Singh who were armed with Kantan marching towards them. All those accused were known to the complainant Chimman Lal and his brother Maya Ram from before. When the complainant and Maya Ram challenged them the accused Shyam Lal asked his companions to shoot them. On the command of Shyam Lal, so given, the accused Shyam Lal himself fired at Maya Ram which resulted in gun shot injuries into his feet. The complainant Chimman Lal and Maya Ram thereupon took to their heels to the village and took shelter under the cover of the western

side of Abdulli's house. From that point they flashed on their torches and raised alarm, whereupon the witnesses Pop Ram, Net Ram, Chappu and Dharam Pal came with their lathis and torches. All these witnesses saw the accused in their torch light shooting and killing two helpless brothers of the complainant namely Mohan lal and Pyare lal with their weapons when they were asleep. After killing Mohan lal and Pearey lal all the accused ran towards the witnesses including the complainant and his brother Maya Ram, who were raising alarm and flashing torches from the side of the house of Abdul. The witnesses ran towards the village in terror. The accused also entered into the village in search of Maya Ram and Pop Ram and when they did not find them, in their frustration also caused some injury to Rajwati, the niece of Pop Ram, witness.

5. This Rajwati is said to be of unsound mind. All the accused were crying in rejoice "Shyam Lal Ki Jai" and retreated towards the south of the village. When the complainant and others returned to the Baithak they saw the Pearey Lal and Mohan Lal lying in a pool of blood on their Charpais, murdered and dead. This ghastly incident was a result of an old enmity between Shyam Lal and his family on one side and the complainant and their family on the other side.

6. About 25 years ago prior to this occurrence Liladhar, the father of Shyam Lal accused was murdered. It was suspected by Shyam lal and his family that this murder was committed by complainant's father. In this back ground there was also a Marpeet two years prior to the present occurrence between Chhotey lal (brother of the accused Shyam lal) and Maya Ram, Mohan lal, Pyarey Lal (brothers of the Complainant) and also the complainant Chimman Lal himself. A case was also registered by the complainant, but the police submitted a final report therein. Shyam lal, however, took this Marpeet as a great slur and he retreated to village Devpur Parewa openly declaring that he will return to the village only to settle his score with the complainant and his family. All the accused are

said to be relations, supporters and family members of the accused Shyam Lal who shared common interest in this occurrence.

7. An F.I.R. of this incident was lodged by Chimman Lal complainant on 03.09.1981 at 7.30 A.M. orally at P.S. concerned and the Investigation started, FIR was registered against 13 named accused persons and the case was registered vide GD Report No.135, at 7:30 hours at P.S. Aliganj, District Bareilly under Sections 147, 148, 149 and 302 IPC. After completion of investigation charge sheet against all the aforesaid accused was submitted under section 147, 148, 149, 302 & 307 I.P.C. by P.S. Aliganj before the Chief Judicial Magistrate Bareilly committed the accused to the court of Sessions as aforesaid on 17.12.1981.

8. On commencement of the Sessions Trial, the trial Judge Sri Kamal Kishore, framed charges under section 148, 149/302 I.P.C. and Section 149/307 IP.C. against all the thirteen accused named above. The accused pleaded not guilty to the said charges and claimed to be tried.

9. The prosecution to prove its case examined before the trial court P.W.1 Chimman Lal (complainant), P.W.2 Maya Ram, P.W.3 Pop Ram, P.W.4 constable No. 104 Madan Mohan Chaubey, P.S. Aliganj, District Bareilly, P.W.5 constable 84 Balraj Singh, P.S. Aliganj, and P.W.6 D.P.Tiwari, Reader S.P. City, Bareilly (then S.O. P.S, Aliganj).

10. The Injury report of Maya Ram P.W.2, the injury report of Smt. Rajwati, the postmortem examination reports of Mohan Lal and Pyarey Lal were admitted into evidence as Ex.Ka-5 to EX.Ka-8 respectively as their formal proof was not insisted by the learned counsels of the accused.

11. After closing of the prosecution evidence all the 13 accused were examined under section 313 Cr.P.C. and the circumstances appearing against them in prosecution evidence were put to them in detail.

12. The accused Shyam lal admitted the fact that Chimman Lal, the complainant, Maya Ram and the two deceased Mohan Lal and Pearey lal were real brother. He also admitted this fact that Mohan lal and Pearey lal have been murdered. This accused denied that he had made any group with Dhan Pal. Except this he admitted his suggested relationship with the accused inter-se. This accused denied that he had gone from the village with a vow to take revenge. This accused contended that the distance of the Zanankhana of the complainant from the Baithak where the murder took place is 250 or 300 steps and not 150 steps as suggested by the prosecution. He denied participation of any accused including himself in this murder as alleged by the prosecution. This accused contended that the F.I.R. of this case was lodged in consultation with the Investigating Officer of some time in noon. This accused pleaded ignorance about the rest of the circumstances put before him. He stated to have been implicated along with other accused on account of prior enmity.

13. The accused Shyam lal has also given a detailed statement about the defence case. This accused stated that the dacoity was committed in the village in which Maya Ram and Rajwati received injuries and Mohan lal and Pearey Lal were murdered. Since there was enmity with him and his family members, they were falsely implicated in this case out of suspicion. This accused further contended that the Chaupal where this double murder took place belonged to one Laltu Goojar who was murdered by Pearey Lal, Mohan Lal, Maya Ram and others and they had wrongfully taken possession over-his land and property resulting into constant enmity with the family members of Laltu. This was suggested to prove the circumstance that perhaps the assailants were the supporters of laltu Goojar who committed this murder. This accused also mentioned an F.I.R. under section 324 I.P.C. lodged by Maya Ram P.W.2 against him and his family members in which police submitted a final report resulting into enmity between them. He also mentioned that Maya Ram, Pyarey lal

and their other family members were accused in an F.I.R. under section 307 I.P.C. lodged by his brother Chhotey lal.

14. This is practically the statement of other accused also. All of them stated that they have been implicated on account of enmity being relations of Shyam Lal. About Dhan Pal they stated that he does not belong to the party of Shyam lal. Actually any party of Shyam Lal is also denied. These accused have also denied any participation in any such murder and asserted their implication on account of enmity. Individual accused had also admitted their relationship 'inter-se except Dhan Pal. Dhan Pal specifically stated that in the murder case of Laltu Goojar his grand father was a witness against Maya Ram and others in which they were convicted.

15. The surviving accused Sohan Lal has admitted the fact that informant Chimman Lal, Maya Ram and two deceased Mohan Lal and Pyare Lal were real brothers; Mohan Lal and Pyare Lal are deceased in this case. The accused Shyam lal and Chatur Behari are real brothers, Shanker is nephew; Bhagwan Das and Sohan Lal are cousins; Khushali brother-in-law (sala) of Chatur Behari; Sohan Lal is brother of Bhagwan Das, he is nephew (Bhanja) of accused Room Singh and Ram Lal. He endorsed and subscribed the statement of accused Shyamlal recorded under Section 313 Cr.P.C.

16. The accused has feigned ignorance about prosecution papers prepared during investigation, he has also shown ignorance about the fact that Dr. D.P. Singh had examined the injured Maya Ram and Rajwati. He has been implicated in the case due to enmity; he is relative of Shyam Lal and for that reason he has been falsely implicated.

17. After recording the statement of the accused under Section 313 Cr.P.C., the learned trial court heard learned counsel for the parties at length and has given a finding that after the careful consideration of all

the aforesaid material which was not found justified to acquit the accused under Section 332 Cr.P.C. and they were required to enter into their defence.

18. The accused in their defence examined DW-1 Omkar Singh, Advocate and D.W.2 Munishwar Singh, Assistant Record Keeper, Collectorate, Bareilly.

19. Dw-1 Mr. Omkar Singh, Advocate has stated in his evidence that he is a legal advisor of Amar Ujalla daily news paper. He has brought office copy of news paper dated 04.09.1981 and in that news paper at Page 4 a news item was published in the Column 7 and 8 with heading “सशस्त्र डकैतों द्वारा हजारों की लूट दो मरे अनेक घायल ”. He further submitted that photo copy of extracts of said news paper “Amar Ujala” are filed on record and this is authorized copy of news item of that day and is in accordance with original Ext. Kha-1 is marked thereon.

20. The postmortem examination report of Mohan Lal and Pyare Lal are as follows:-

The post mortem examination report of Mohan Lal deceased is Ex.ka-7 and it gives the following ante mortem Injuries on his person.

1. Incised wound 7 cm x 1 cm x bone deep on the right parietal region 9 cm above the ear.

2. Incised wound (tringular shaped) 5 cm x 3 cm x bone deep on the right frontal region.

3. Incised wound 3 cm x 1/2 cm x muscle deep on the right side of the neck 5 cm below the ear.

4. Incised wound 1.5 cm x ¼ cm x muscle deep 1 cm posterior to injury no.3.

5. Incised wound 6 cm x 1 cm x bone deep on the right submandibular region, under lying mandle and laryn cut.

6. Three incised wound in an area of 4 cm x 3 cm x muscle deep average size 1 cm x 1/2 cm x muscle deep and 1/2 cm x 1/2 cm x muscle deep.

7. *Incised wound 1 cm x 1/2 cm x muscle deep on the upper most part of the neck.*

8. *Incised wound 1 cm x 1/2 cm x muscle deep on the lowest part of the front of the neck.*

9. *Contusion 6 cm x 4 on the right shoulder.*

10. *Gun shot wound 1 cm x 1 cm on the front of the right arm middle part.*

11. *Multiple gun shot wound on the right gluteal region, four could be counted. Average size 1 cm x 1 cm x bone deep. No charring present. Echymosis present around the wound.*

The post mortem examination report Ex. Ka-8 of Pearey Lal indicates the following ante mortem Injuries on his body.

(I) Two incised wounds 1 cm apart on the left side of the head 3 cm above and behind left ear 1 cm x 1/2 cm x bone deep and 1 cm x 1/4 cm x bone deep.

(ii). Contusion 10 cm x 5 cm on the top of the head.

(iii). Gun shot wound of entry 3 cm x 3 cm x cavity deep on the upper part of right shoulder in front.

(iv). Multiple gun shot wound of entry in an area of 4 cm x 4 cm x cavity deep on the right nipple.

(v). Multiple gun shot wound of entry 10 cm x 8 cm on the right side of the abdomen at the level of the umbilicus average size 0.3 cm x 0.3 cm x cavity deep.

(vi). Three gun shot wounds of exit on the front of the left side of the chest axillary line average size 1.5 cm x 1.5 cm, 5 cm below arm pit.

(vii). Three gun shot wounds of entry on the inner aspect of the left arm size 1 cm x 1 cm x muscle and bone deep.

(viii). Three gun shot wounds of eixt on the outer aspect of the left arm upper part average size 1.5 cm x 1.5 cm x skin muscle and bone deep.

(ix). Multiple gun shot wound of entry in an area of 10. cm x 7 cm x skin muscle and bone deep on the outer aspect of the right knee.

(x). Gun shot wound of entry 1cm x 1 cm x muscle deep on the outer aspect of the left wrist joint.

(xi) Gun shot wound of exit 1.5 cm x 1.5 cm x muscle deep on the inner aspect of the left wrist.

A careful consideration of the ante-mortem injuries of Pearey Lal and Mohan Lal, it's evident that gun shots were fired at them and injuries were also inflicted by sharp edged weapons. Even the incised wounds are bone deep 'indicating an unequivocal intention to cause death.'"

21. A perusal of said news item Ext. Kha-1 reveals that in Amar Ujala daily edition dated 04.09.1981 a news item was published that in village Gurawan Khajuhai P.S. Aliganj, some armed dacoits had committed dacoity, in which two persons Mohal Lal and Pyare Lal lost their lives, who were done away by fire arm shots and assault by lathis. The third brother Maya Ram was seriously injured, dacoits robbed valuable worth Rs.50,000/-. The gang of robbers was hurling slogans of victory of Shyam Lal and Chatur Behari. The robbers were having enmity of land with the deceased persons. However, name and description of robbers has not been disclosed in news paper report.

22. DW-1 Muneshwar Singh, is then Assistant Record Keeper in Collectorate Bareilly who stated that he has been posted Assistant Record Keeper at Collectorate since 03.06.1980. The Station Report of Case Crime No.135 of 1981, P.S. Aliganj was received in the office of District Magistrate on 04.09.1981, on which signature of District Magistrate, B.S. Bagga is marked with dated 04.09.1981, which is marked as Ext. Kha-2. He has got a copy of said Special Report, on which Ext. Kha-2 was marked.

23. Learned counsel for surviving appellant submitted that FIR in this case was lodged at the instance of informant Chimman Lal, who has stated that his co-villager Shyam Lal son of Leela Dhar was having old enmity with his family. Shyamlal had left his home two years prior to the incident and shifted to village Deopur, P.S. Aonla. He has stated while

living the village that unless he will avenge his enmity he will not come back in the village. Thus, the motive has been attributed in FIR to accused Shyamlal in the offence and this is prosecution case that at the behest of Shyamlal all the named accused persons entered into the house of informant having armed with Lathi, Spare, Dauli and Gun. In FIR specific role has been assigned to Shyamlal that he opened a fire which hit his brother Maya Ram. The injured, the informant and Maya Ram ran away from the place and reached near house of Abdulli Baretha and made noise, thereupon the witnesses who were co-villagers assembled there and had seen the incident in torch light, and at that time Shyamlal and others were attacking the brothers of the informant namely Pyare Lal and Mohan Lal by Kata (sharp edged weapon) and spare after hitting them by firearm shot. When the witnesses raised alarm, the accused persons moved towards them, whereupon the informant and witnesses ran inside the village. These people even searched for his brothers Maya Ram and Pop Ram to kill them inside the house, but did not find them, then they engaged a marpeet with niece of Pop Ram and thereafter left the place by raising slogan of victory of Shyamlal. According to the informant, after departure of the accused persons, the informant and his brothers came back to Chaupal (sitting place of the house) and found his brothers Pyare Lal and Mohan Lal are lying dead there. Ext- Ka-23 is inventory of seizure of two empty cartridges 12 bore, two pellet and 6 tiklies etc. bearing date 03.09.1981. However, due to non-recovery of fire arms used in the offence these empties could not be tested in FSL. The pellet injury of Maya Ram is on non-vital part, the injuries of Ramwati Devi, niece of Pop Ram is also of simple nature. In fact, dacoity was committed in the fateful night in the house of the informant and deceased, and dacoits had done away the two brothers of the informant in the process of committing dacoity and accused persons are named in the FIR due to prior enmity.

24. Learned counsel for the appellant further submitted that no specific role has been assigned to surviving appellant- Sohan Lal in the offence,

except the general allegations that he was also armed with some fire arms, alongwith co-accused persons. Total thirteen accused persons are named in the FIR. The prosecution has examined only three witnesses of facts in support of his case namely PW-1 Chimman Lal the informant; PW2 Maya Ram, the injured and PW-3 Pop Ram a co-villager of the informant who has been projected as an eye-witness. He has stated in the evidence that the incident took place around 12:00 hours in the night, he awake while hearing the sound of fire arm shots. Maya Ram and Chimman Lal were making shouting from the platform of their house. He reached near the house of Abdulli having a lathi and torch in his hand. The witnesses have declined the defence suggestion, that in the fateful night dacoity was committed in the house of the informant, in which his two brothers were killed. He further stated that he consider this incident as murder and not dacoity. Whereas the news paper report of next date which is proved by evidence of DW-1 fortifies the defence version that dacoity was committed in the house of the informant on that night. PW-6 Investigating Officer wrongly denied this suggestion that there was a case of decoity.

25. It is difficult to believe that the informant and witnesses had identified 13 persons in the light of torch, whereas the incident occurred in the village in mid night. The House of Maya Ram, Pop Ram situates in the extreme left of the house of the informant. The Investigating Officer has not shown the place in site plan Ext. Ka-24 from where the armed accused had fired upon deceased.

26. Surviving appellant Sohan Lal, was not having prior enmity with the deceased or injured Maya Ram and there is lack of consistency with regard to manner and mode of assault and place of incident in the evidence of injured Maya Ram and witness Pop Ram. The accused applicant has been falsely implicated in the case due to ulterior motive.

27. With above submissions, learned counsel of the appellant prayed for acquittal of surviving appellant, his submission is that the prosecution case against appellant has not been proved beyond reasonable doubt.

28. Per contra, learned A.G.A. emphatically opposed the prayer for acquittal made on behalf of the appellant and submitted that this is a open and shut case. The FIR itself is self content, in which motive has also been introduced against accused Shyam Lal and other accused persons are his relatives and closely associated with him. The appellant was also armed with firearm at the time of incident together with other accused and forearm injuries are sustained by both the deceased in this case.

29. The sequence of events are duly narrated in the FIR itself and proved by the evidence of eye-witnesses out of whom one Maya Ram (PW-2) is injured witnesses and brother of the deceased. In this incident two brothers lost their life in a gruesome attack made by 13 people armed with fire arms and sharp edged weapons. Two persons namely Maya Ram and one girl Rajwati also received injury in the incident. Even the informant and witness Maya Ram had saved their life any how in the incident. As the assailants were intending to kill them also.

30. He lastly submitted that the incident occurred in the night of 02.09.1981, and the FIR was lodged on next morning, on 03.09.1981 at 7:30 AM on the basis of oral statement of the informant Chimman Lal. Keeping in view the fact that incident occurred in mid night in a village situated at 7 kms away from police station as appear in Chik FIR, in which two brothers of the informant lost their life, there is no delay in lodging of FIR , and prompt lodging of FIR enhances the credibility of FIR version.

31. On perusal of record its appears that the genuineness of the postmortem reports was admitted by the defence, hence the doctors who conducted postmortem examination of the deceased Mohan Lal and Pyare

Lal were not examined by the prosecution and the postmortem reports deposed that admitted in evidence and exhibited under Section 294 Cr.P.C. Surviving appellant Sohan Lal is not directly related to main accused Shyam Lal. General and omnibus role of firing and assault with spear, Kanta (a sharp edged weapon) etc. has been attributed to named accused persons including accused Sohan Lal by the witnesses. No specific role has been assigned to Sohan Lal in the incident, except the allegation that he was also armed with fire arm in the incident. In absence of evidence of doctor it could not be discerned as to injuries suffered by two deceased were caused by how many gun shots.

32. Total 13 persons have been nominated as accused with their parentage and residence, however, the alleged incident took place in the dark hours of midnight and it was alleged that the appellants were identified in the torch lights. Enmity between complainant side and accused Shyam Lal side is admitted by both sides and keeping in view large number of named accused persons with non-specification of role played by them by witnesses except for accused Shyam Lal false implication can not be ruled out.

33. It is admitted case of the prosecution that the first informant was having enmity with the accused Shanker, Shyam Lal and Chatur Baheri, however, he did not sustain any injury in the alleged incident or even the accused persons did not cause any assault on him which does not sound natural.

34. It is relevant to submit that the sole surviving appellant namely Sohan Lal was having no personal enmity with the informant and deceased or his family members, thus there was no apparent motive on his part to join the hands with the other co-accused persons to commit the crime in question.

35. The alleged occurrence was a case of dacoity by the which is not admitted by the P.W.3 who is an eye witness of the alleged incident and uncle of the one of the injured Smt. Rajwati. However, complicity of Chatur Behari and Shyam Lal together with some other accused persons is proved beyond reasonable doubt, inasmuch as the news with regard to the dacoity was also published in the Daily news paper namely Amar Ujala on 04.09.1981 items was proved by D.W.-1. On facts of the case, the defence proposition that in fact, a dacoity took place on the place of incident on the fateful night cannot be ruled out together.

36. No fire arm or any weapons have been recovered either from possession or pointing out of the surviving appellant.

37. This fact has emerged in evidence that there was old land dispute between Shyam Lal the main accused and the family of the informant, including the deceased. This is also prosecution case that the assailants after giving fatal blow to deceased Maya Ram and Pyare Lal by Gun, Spare and Kata ran inside the village to chase Maya Ram and Pop Ram (PW-2 and 3) and in the process when they did not find Pop Ram, they assaulted his niece Rajwati who is said to be mentally disabled. The surviving appellant Sohan Lal does not belong to the family of Shyam Lal, although he has also been attributed role of having been armed with a gun at the time of incident, but there is no evidence to corroborate this fact that he actually caused any fire arm blow to the deceased persons. Although, the prosecution version cannot be disbelieved in toto, as the FIR in the case cannot be said to be belated on the facts of the case, in which two brothers of the informant were seriously killed and his one brother Maya Ram also suffered injuries during the incident. This is quite natural that panic and commotion would have been occurred in the village after this incident.

38. However, keeping in view the number of accused persons who are alleged to have participated in the incident is 13 in number, and inasmuch

as 12 of them have already passed away during the pendency of present appeal and two connected appeals as stated above, we do not think it just and proper on reappraisal of evidence on record to affirm conviction recorded and sentence awarded to the appellant Sohan Lal for reasons shown in foregoing discussion. Even no overt act in the incident of murder has been assigned to the appellant Sohan Lal in the FIR or in the evidence of eye witnesses.

39. Consequently, on the basis of foregoing discussion, the appeal preferred by the appellant is having force and we are of considered opinion that prosecution has been unsuccessful to prove the guilt of the appellant for alleged charges under Sections 148 and 302/149 IPC, beyond reasonable doubt and he deserves to be acquitted of said charges. The appellant Sohan Lal is acquitted of charge under Sections 302 r/w 149 and 148 IPC and sentence awarded to him for said charges is set-aside. The appellant has been released on bail in present Criminal Appeal and he need not to surrender. The appeal stands **allowed**, accordingly in respect of surviving appellant Sohan Lal and judgment of conviction and sentence awarded to the appellant by learned trial court is hereby set-aside. He need not surrender.

40. The appellant Sohan Lal is required to execute a personal bond and two sureties each in the like amount under the provisions of Section 437(a) Cr.P.C. to the satisfaction of the learned trial court / Session Judge concerned with undertaking to appear before the higher Court, as and when such court issues notice in respect of criminal appeal or petition filed against this judgment, and said bail bonds shall be enforced for six months. The bail bonds shall be furnished by the appellant within fifteen days from today.

Order Date :- 26.05.2025.
Ashish/