

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Criminal Appeal D-226-DB of 2003
Date of Decision: August 28, 2015**

Mohinder Kaur	Versus	Appellant
State of Punjab and another		 Respondents

Criminal Appeal D-306-DB of 2003

Jagroop Singh	Versus	Appellant
State of Punjab		 Respondent

**CORAM : HON'BLE MR. JUSTICE T.P.S.MANN
HON'BLE MR. JUSTICE GURMIT RAM**

Present : Mr. H.S.Bhullar, Advocate
for the appellant(s).

Mr. S.S.Dhaliwal, Additional Advocate General, Punjab.

T.P.S.MANN, J.

Mohinder Kaur wife of Sukhmander Singh and her son Jagroop Singh, residents of village Doda, District Muktsar were tried for committing offences punishable under Section 302 IPC read with Section 34 IPC for committing the murder by intentionally or knowingly causing the death of Charanjit Kaur wife of Jagroop Singh in furtherance of their common intention. They were also tried for committing offences punishable under Section 498-A read with Section 34 IPC for maltreating Charanjit Kaur for

demand of dowry in furtherance of their common intention. Vide impugned judgment and order dated March 7, 2003, learned Additional Sessions Judge, Muktsar convicted them under Section 302 IPC and sentenced them to undergo imprisonment for life and to pay a fine of Rs.25,000/- each and in default of payment of fine, to further undergo rigorous imprisonment for a period of three years. They were also convicted under Section 498-A IPC and sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs.5,000/- each and in default of payment of fine, to further undergo rigorous imprisonment for a period of six months. Both the substantive sentences were ordered to run concurrently.

Aggrieved of their conviction and sentence, Mohinder Kaur filed CRA D-226-DB of 2003 whereas Jagroop Singh preferred CRA D-306-DB of 2003. Upon notice, the State put in appearance.

As both the appeals arise out of one and the same judgment of conviction and sentence, they are being disposed of by a common judgment.

According to the prosecution, Charanjit Kaur, deceased in the case, was married to Jagroop Singh about nine months earlier to the incident. On 23.11.1999 at 6.00/6.30 a.m., she suffered burns. She was shifted to Guru Gobind Singh

Medical College and Hospital, Faridkot where her statement Ex.PH/3 was recorded by Sh. Mohan Lal, Executive Magistrate on 23.11.1999 at 7.45 p.m. which was concluded at 8.15 p.m. The said statement of Charanjit Kaur is reproduced hereunder:-

“Statement of Smt. Charanjit Kaur wife of Sh.
Jagroop Singh resident of village Doda.

on S.A.

Stated that my marriage was solemnized with Jagroop Singh about one year back. Today, i.e. on 23.11.1999 at about 6.00/6.30 a.m., I was preparing tea on 'chullah' (hearth). Then my mother-in-law and my husband caught hold of me from my hair, poured kerosene on me and then set me on fire with a match stick. At that time, apart from them, my younger brother-in-law Sukhpal Singh was present in the house. On my raising noise, my brother-in-law also came there. Some other persons from the street and locality also gathered there. I could not identify anybody as I was in lot of pain. My husband and other family members used to harass me from the very beginning to bring more money from the house. They used to harass me to bring atleast Rs.50,000/-”

Further case of the prosecution is that on 25.11.1999 at 9.15 a.m., Gurbachan Singh @ Mithu, father of the deceased got recorded statement Ex.PA before ASI Harjinder Singh to the following effect:-

“ Statement of Gurbachan Singh @ Mithu son of Kuda

Singh, caste Ramdasia Sikh, resident of village Deon, aged about 47 years.

Stated that I am resident of village Deon. About 9 months back my daughter Charanjit Kaur was married with Jagroop Singh son of Sukhmander Singh resident of Doda. About three months after the marriage, my son-in-law Jagroop Singh and his mother Mohinder Kaur asked my daughter to bring Rs.50,000/- in the shape of dowry from her parents. Due to this, both started beating and harassing my daughter. I told this fact to mediator Darbara Singh, Panch, resident of Deon and he counselled them. Now about 20 days back, my son-in-law Jagroop Singh and his mother Mohinder Kaur turned my daughter out from their house, after beating her and asked her to bring dowry and money from her parents. My daughter came to village Deon and narrated about the whole matter to me, my wife Ranjit Kaur and Darbara Singh mediator. About 10 days back, Mohinder Kaur and Jagroop Singh apologized and at the instance of Darbara Singh mediator, my daughter was sent with them. On 23.11.99, I sent my maternal uncle's son Hansa Singh son of Ajmer Singh resident of Deon to village Doda to enquire about the welfare of my daughter who on return to village Deon, told that when he reached near the house of Jagroop Singh and others, then he was told by somebody that on that day early in the morning, Mohinder Kaur and Jagroop Singh had tried to kill Charanjit Kaur by setting her on fire and took her to Faridkot Hospital.

When I, my wife and Surjit Singh Sarpanch alongwith other Panchayat members arrived in the hospital at Faridkot then my daughter Charanjit Kaur told us that on 23.11.99 early in the morning at about 6.00 a.m. when she got up for preparing the tea Jagroop Singh caught hold of her from her hair while Mohinder Kaur poured kerosene on her and set her on fire and when both started to look up then she pushed them and ran towards the street and fell down in the street. On her raising alarm, the people extinguished the fire. My son-in-law Jagroop Singh and his mother Mohinder Kaur on account of dowry have tried to kill my daughter by setting her on fire and burned her. Statement has been got recorded. Heard the same and is correct. Action be taken.”

On the basis of the aforementioned statement Ex.PA made by Gurbachan Singh @ Mithu, which was recorded by ASI Harjinder Singh on 25.11.1999 at 9.15 a.m. at Bus Stand Doda, FIR Ex.PA/2 was registered at Police Station Kot Bhai on 25.11.1999 at 10.15 a.m. against the appellants for offences under Sections 307 and 498-A IPC. Special report sent through Constable Dashmesh Singh was received by the Ilaqa Magistrate on 25.11.1999 at 5.00 p.m. Charanjit Kaur succumbed to the burns on 9.12.1999 in Guru Gobind Singh Medical College and Hospital, Faridkot and, accordingly, offence under Section 302 IPC was added to the FIR.

It is also the prosecution case that on 25.11.1999 ASI Harjinder Singh visited the spot and prepared rough site plan Ex.PL. On 9.12.1999, he also prepared the inquest report Ex.PM and sent the dead body for post-mortem vide his request Ex.PD. He arrested the appellants on 13.12.1999. On 21.1.2000, he got prepared scaled map Ex.PK of the place of occurrence from Dalip Singh Sachdeva, Draftsman. On completion of investigation and presentation of challan followed by commitment of the case, the trial Court framed charges against the appellants, to which, they pleaded not guilty and claimed trial.

In support of its case, the prosecution examined ten witnesses.

PW1 Darbara Singh deposed that he was go between in the marriage of the deceased with appellant-Jagroop Singh. He also deposed about the demand of Rs.50,000/- by the appellants and harassment of the deceased at the hands of appellants on account of non-fulfillment of their demand. He further deposed that he had persuaded the appellants to treat the deceased nicely. He also deposed that he had accompanied the father of the deceased to Guru Gobind Singh Medical College and Hospital, Faridkot and, the deceased, who was conscious told them that when she went to prepare tea on 23.11.1999 at 6.00 a.m. she was caught hold of by the appellants from her long hair

and set on fire after pouring kerosene on her.

PW2 Gurbachan Singh @ Mithu, father of the deceased reiterated the version as stated by him in his statement Ex.PA made before the Investigating Officer on 25.11.1999 at Bus Stand of village Doda. He also deposed that on 23.11.1999, he had moved application Ex.PB to the Deputy Commissioner, Faridkot praying therein for recording the statement of his daughter.

PW3 Dr. A.S.Thind, Medical College, Faridkot, deposed that on 9.12.1999 at 2.30 p.m., he conducted post-mortem on the body of the deceased. During such examination, he noticed presence of rigor mortis, post-mortem staining and superficial burn injuries all over the body except face, neck, upper part of chest, upper part of right and left arm, portion of right forearm, small portion of lower part of abdomen, back of chest and upper part of abdomen. Scab was present at the burnt area. The cause of death, according to him, was septicaemic shock as a result of burn injuries, which were ante-mortem and sufficient to cause death in the ordinary course of nature. Probable time between injury and death was about two weeks and between death and post-mortem, it was six to twelve hours.

PW4 Dr. Kuldeep Kumar, Casualty Medical Officer, Guru Gobind Singh Medical College and Hospital, Faridkot,

stated that on 23.11.1999, the deceased was brought to the hospital with about 90% burn injuries. She was conscious and after being provided first aid, shifted to Female Medical Ward, Unit-II. He sent ruqa Ex.PE to the police on 9.20 a.m. He stated that the deceased died on 9.12.1999 and in that regard, ruqa Ex.PF was sent to the police by Dr. Sudhir Kumar, who had since died. He also proved his opinion Ex.PG/1 on police request Ex.PG regarding fitness of the deceased to make a statement on 23.11.1999 at 12.15 p.m.

PW5 Dr. Paramjit Singh Cheema, Medical College, Faridkot deposed that on 23.11.1999 at 7.45 p.m., Shri Mohan Lal, Executive Magistrate, Faridkot came to the emergency ward of the hospital and sought his opinion regarding the fitness of the deceased. Vide his endorsement Ex.PH/1, he declared the deceased fit to make statement. Thereafter, Shri Mohan Lal recorded statement of the deceased in his presence and after completing the same obtained the thumb impression of the victim thereupon. He remained present during the recording of the statement. After the statement was recorded, he made endorsement Ex.PH/2 certifying that deceased had remained fit throughout the recording of her statement. He also proved his report Ex.PJ/1 on police request Ex.PJ. He further deposed that he had been attending upon the deceased during her stay in the

hospital and had made endorsements on bed head ticket Ex.PH from time to time regarding the treatment of the deceased during his duty hours.

PW6 Smt. Raj Rani, Record Keeper of Guru Gobind Singh Medical College and Hospital, Faridkot proved photostat copy of the bed head ticket Ex.PH of the deceased.

PW7 Ashok Kumar, Clerk, office of Deputy Commissioner, Faridkot proved endorsement PB/1 of the Deputy Commissioner on application Ex.PB directing the A.C. (Grievances) Faridkot to record the statement of the deceased.

PW8 Dalip Singh Sachdeva, Draftsman, proved scaled map Ex.PK of the place of occurrence prepared by him.

PW9 ASI Harjinder Singh, testified about the various steps taken by him during the investigation of the case.

PW10 Shri Mohan Lal, Executive Magistrate, deposed that on 23.11.1999 he was posted as A.C. (Grievances) at Faridkot and on receipt of order Ex.PB/1 from the Deputy Commissioner, Faridkot he went to Guru Gobind Singh Medical College and Hospital, Faridkot and after obtaining opinion Ex.PH/1 of the doctor about the fitness of the deceased to make a statement, recorded her statement Ex.PH/3 at 8.15 p.m., which was thumb marked by the deceased. He also deposed that PW5 Dr. Paramjit Singh Cheema had declared the deceased fit even

after recording of the statement at 8.20 p.m. vide his endorsement Ex.PH/2. He further deposed that during the recording of the statement nobody else except the doctor/incharge was present in the room.

When examined under Section 313 Cr.P.C. both the appellants stated that they had been keeping Charanjit Kaur with love and affection and no dispute arose between them. The allegations of demanding dowry and maltreatment were false. The deceased had caught fire suddenly while working in the kitchen and preparing tea. The appellants had informed her parents through Gurmeet Singh of village Sivian, brother-in-law of appellant-Jagroop Singh before taking Charanjit Kaur to the hospital for medical treatment. Both of them stated that they never demanded any dowry nor maltreated Charanjit Kaur. They had been falsely implicated as the parents of Charanjit Kaur wanted to extract money from them. The marriage of the deceased with appellant-Jagroop Singh was simple and neither any dowry was given nor taken at the time of marriage.

In defence, the appellants examined four witnesses. DW1 Surjit Singh Gill, proved scaled site plan Ex.DB of the house of the accused which he had prepared at the instance of Mukand Singh, Ex-Sarpanch and Sukhpal Singh, brother of appellant-Jagroop Singh. As per the said site plan the houses of

appellant-Jagroop Singh and his father-Sukhmander Singh and mother-Mohinder Kaur were separate.

DW2 Mukand Singh testified that rough site plan Ex.PL was prepared by the Investigating Officer on his instructions. He further deposed that the houses of the appellants were separate and site plan Ex.DB was prepared by DW1 Surjit Singh Gill in his presence and on his pointing. He also deposed that deceased was lying in the street at Point A as shown in the site plan Ex.DB and on hearing her noise, he went out in the street at Point A and found Krishan, Mukhtiar Kaur and Sukhpal Singh (brother of appellant-Jagroop Singh) extinguishing the fire of the deceased. He also started helping them. After the fire was extinguished, Sukhpal Singh brought a cot on which the deceased was removed to the house of appellant-Jagroop Singh. On enquiry by him and others, the deceased revealed them that she caught fire while preparing tea at about 6.15/6.30 a.m. Appellant-Jagroop Singh also arrived there after answering the call of nature. Appellant-Mohinder Kaur was not present there as she was away to village Barkandi. She was brought by her son-Sukhpal Singh in a jeep. Thereafter, Charanjit Kaur was removed to the hospital by the two appellants as well as Baldev Singh, Bhoopa Singh, Vakil Singh, Iqbal Kaur and Surjit Kaur. After about an hour one Assistant Sub Inspector came to the spot

and enquired about the occurrence. The witness stated that the appellants had no dispute with the deceased and she was happily living with them. The village Panchayat also represented to the Chief Minister that the appellants had been falsely implicated. He further deposed that he produced the appellants before the police after about a month of the occurrence.

DW3 Baldev Singh testified that he had reached the spot and found DW2 Mukand Singh and both the appellants present there. The deceased was lying on a cot. Many people were present there. On enquiry, the deceased told him that while she was preparing tea with firewood, her salwar caught fire. Accordingly, he accompanied others to the hospital at Muktsar with the deceased. From Muktsar the deceased was referred to Guru Gobind Singh Medical College and Hospital, Faridkot where she was got admitted by appellant-Jagroop Singh, who deposited Rs.200/- and Rs.800/- in the said hospital before her admission. Appellant-Jagroop Singh also signed papers in the hospital on bed head ticket Ex.PH. He further deposed that the doctor apprised them that the condition of the deceased was critical. On the prescription slip handed over by the doctor, appellant-Jagroop Singh purchased medicines worth Rs.2,000/-. In the hospital, one ASI of Police Post Doda alongwith other police officials came and on enquiry the deceased told him that she had caught fire

suddenly while preparing tea. At that time, Manjit Kaur, mother of the deceased and her paternal aunt were also present.

DW4 Gurmit Singh, son-in-law of appellant-Mohinder Kaur testified that on 23.11.1999, he received telephone call from his wife's brother-Sukhpal Singh at about 7.00 a.m. about the burn injuries received by the deceased while preparing tea. Sukhpal Singh told him to reach his village Doda with the parents of the deceased. Accordingly, they went to the village of complainant-Gurbachan Singh @ Mithu where the mother of deceased told him that the complainant had already gone to Civil Hospital Bathinda to enquire about the health of the maternal uncle of the deceased. The mother and aunt of the deceased accompanied him to the house of the appellants. Sukhpal Singh, brother of appellant-Jagroop Singh told them that the deceased had been shifted to Guru Gobind Singh Medical College and Hospital, Faridkot by both the appellants and others. They reached Guru Gobind Singh Medical College and Hospital, Faridkot and on enquiry the deceased told them that her salwar caught fire while she was preparing tea on the hearth and that nobody had set her on fire. At that time, both the appellants as well as Baldev Singh and Vakil Singh were present in the Medical College. The deceased told the Investigating Officer in his presence about catching fire suddenly while preparing tea. He

further deposed that appellant-Mohinder Kaur was residing separately from her son appellant-Jagroop Singh.

The trial Court, after hearing learned counsel for the parties and on going through the record with their assistance, believed the prosecution case, held the appellants guilty for committing offences under Sections 302 and 498-A IPC and, accordingly, convicted and sentenced them, as mentioned above. Hence the aforementioned separate appeals filed by the two appellants.

This Court has heard learned counsel for both the appellants and learned State counsel besides going through the entire evidence with their able assistance.

It is not disputed that at about 6/6.30 a.m. on 23.11.1999, Charanjit Kaur had suffered burns while in her matrimonial home. She was, thereafter, rushed to Guru Gobind Singh Medical College and Hospital, Faridkot. Upon receipt of wireless message from the hospital, PW9 ASI Harjinder Singh rushed there and submitted application Ex.PG. Vide endorsement Ex.PG/1 made on Ex.PG on 23.11.1999 at 12.15 p.m., Dr. Kuldeep Kumar declared her unfit to give statement. Thereafter, on the same day at 7.45 p.m., Mohan Lal, Executive Magistrate on receipt of order from the Deputy Commissioner, Faridkot, went to the hospital and submitted application Ex.PH/4

before the doctor seeking opinion about the fitness of the victim to make statement and vide endorsement Ex.PH/1 made at 7.45 p.m., secured her fitness to make statement. The Executive Magistrate, thereafter, recorded her statement Ex.PH/3, which was concluded at 8.15 p.m. Dr. Kuldeep Kumar also made endorsement Ex.PH/2 at 8.20 p.m. to the effect that the patient remained fit after recording of her statement.

It is also the case of the prosecution that on 24.11.1999 at 12.00 noon, ASI Harjinder Singh moved application Ex.PG before the doctor about fitness of the victim to make a statement. However, vide endorsement Ex.PG/1 at 12.15 p.m., the doctor gave in writing that the statement of the victim had already been recorded by the Executive Magistrate. On 25.11.1999, ASI Harjinder Singh went to Faridkot to collect the statement recorded by the Executive Magistrate. However, at Bus Stand of village Doda, he met complainant Gurbachan Singh @ Mithu and recorded his statement Ex.PA. As the statement disclosed commission of offences under Sections 307/498-A IPC, he made an endorsement Ex.PA/1 thereon on 25.11.1999 at 9.15 a.m. and forwarded the statement Ex.PA to Police Station Kot Bhai where on its basis FIR Ex.PA/2 was recorded by SI Gurchand Singh, Station House Officer on 25.11.1999 at 10.15 a.m. The special report sent through Constable Dashmahesh

Singh, which was received by the Illaqa Magistrate on the same day at 5.00 p.m.

In the statement Ex.PH/3 of the victim, which after her death assumed the nature of dying declaration and also in his statement Ex.PA made by PW2 Gurbachan Singh @ Mithu, father of the deceased, in which, he stated about oral dying declaration having been made by the victim, both the appellants were specifically named as accused. In the statement Ex.PH/3, the victim had stated that the appellants after catching hold of her from her hair poured kerosene on her and then set her on fire. She also stated that her husband Jagroop Singh and his family members used to harass her from very beginning to bring more money from her parents. In her oral dying declaration made before her father Gurbachan Singh @ Mithu, she had stated that her husband Jagroop Singh caught her from her hair while mother-in-law Mohinder Kaur poured kerosene on her and then set her ablaze.

The plea of the appellants that the statement of the victim as recorded by the Executive Magistrate was vague and tutored deserves to be rejected as it was specifically stated therein that both the appellants had acted in unison in catching hold of her from her hair and after pouring kerosene on her, set her ablaze. Despite the fact that Sukhpal, who happened to be

the younger brother of her husband Jagroop Singh was in the house, the victim did not attribute any role to him excepting that he was present in the house and for that reason, he was not even arraigned as an accused. Further, in her deposition before the trial Court, PW10 Mohan Lal, Executive Magistrate stated that while he was recording the statement of the victim nobody else except the doctor/Incharge was present in the room. Even otherwise, by the time the statement Ex.PH/3 was recorded by the Executive Magistrate, the father and other near relatives of the victim had not appeared on the scene, rather it was only on 25.11.1999 that the father of the victim made statement Ex.PA before ASI Harjinder Singh and on its basis FIR Ex.PA/2 was registered at Police Kot Bhai on that day at 10.15 a.m.

Some minor contradictions had appeared between the written dying declaration made by the victim before the Executive Magistrate and the oral dying declaration made by her before her father Gurbachan Singh @ Mithu in the sense that in the written dying declaration, both the appellants were attributed catching hold of the victim from her hair and after pouring kerosene on her, setting her ablaze whereas in the oral dying declaration, the role of catching hold of the deceased from her hair was attributed to her husband while that of pouring kerosene and setting her ablaze was to her mother-in-law. However, no

benefit can be extended to the appellants as the contradiction is so minor and trivial that it can safely be overlooked as the tone and tenor of both the dying declarations point in one and the same direction that it were the two appellants, who had taken active part in the commission of the crime.

Learned defence counsel has submitted that it was not a case of homicidal burning, rather, it was a case of accidental burns as no burns had been received by the victim on her face, neck, upper part of the chest and upper part of right and left arm. However, human probabilities would lead this Court to hold that once the victim was caught hold of from her hair, she would not have remained static, rather, she would be making all out attempt to escape from the clutches of the accused and in that manner, she would not have received splash of kerosene on all parts of the body. Some portions of her body would have been spared in the process and under these circumstances, spared portions would not have been burnt.

As regards the demand of Rs.50,000/- made by the appellants to the victim for being brought from her parents, PW2 Gurbachan Singh @ Mithu, father of the victim deposed that after about three months of the marriage, the appellants had started maltreating the victim on account of demand of Rs.50,000/-, which fact was revealed to him by the victim. However, PW1

Darbara Singh, who was the mediator in the marriage testified that 2/3 months after the marriage, a quarrel arose between the parties as the appellants started demanding dowry of Rs.50,000/- in cash and in his cross-examination, he stated that it was a simple marriage, which was performed within ten days and no dowry was given to the victim at the time of her marriage. However, both the statements instead of being categorized as contradictory, rather point to the harassment of the deceased at the hands of the appellants, who are none else but her husband and mother-in-law and as the demand could not be fulfilled, she was set on fire by the appellants.

Much emphasis has been laid on the fact that the victim was rushed to the hospital by none else but her husband Jagroop Singh. In this regard, the attention of the Court has been drawn to the testimony of PW4 Dr. Kuldeep Kumar who deposed that the victim was brought by Jagroop Singh and she was conscious. In cross-examination, he deposed that he did not know if the patient was accompanied by any other person or ladies other than Jagroop Singh, when she was brought to the hospital. However, that would not absolve the appellants from the commission of the crime as after the unsavoury incident, the offenders might have change of heart and tried to come out as good samaritan so as to save the victim. It is another thing that

despite his best efforts to rush the victim to the hospital, the victim did survive only for a few days but finally died on 9.12.1999, i.e. after about sixteen days of the incident and according to PW3 Dr. A.S. Thind, who had conducted post-mortem of her dead body, the cause of death was septicaemic shock as a result of burn injuries.

According to DW1 Surjit Singh Gill, who proved scaled site plan Ex.DB of the house of the accused, as per which, the houses of husband and mother-in-law of the deceased were separate but no suggestion was put to PW2 Gurbachan Singh @ Mithu in that respect. Even, if it is taken that the deceased and her husband on the one hand and mother-in-law and father-in-law of the deceased on the other, lived in separate houses that will not be sufficient to conclude that Mohinder Kaur, mother-in-law of the deceased had no role to play in the incident. The marriage of the deceased with Jagroop Singh was solemnized about nine months earlier to the incident and the deceased being a young bride in the house, her mother-in-law would be visiting the said house every now and then so as to assist her daughter-in-law in the various activities which are performed by the villagers in day to day life.

According to DW2 Mukand Singh the deceased on being inquired, stated that she had caught fire while preparing tea

and on that day Mohinder Kaur was not present there as she was away to village Barkandi while Jagroop Singh arrived there after answering the call of nature. He also stated that the village Panchayat had represented to the Chief Minister of Punjab regarding false implication of the appellants in the case. In his cross-examination, he stated that he was neither the Sarpanch nor the member of the Panchayat nor also Numberdar or holder of any office in the village during the course of that inquiry. He also admitted it to be correct that the facts mentioned in the application Ex.DC made to the Chief Minister were found to be false.

DW3 Baldev Singh testified that Charanjit Kaur had caught fire on 23.11.1999 and when he went to the spot, she was made to lie on a cot. He also stated that Mukand Singh, Jagroop Singh and his mother were standing there near the cot. He asked Charanjit Kaur as to how the incident took place and she replied about catching fire while preparing tea. Thereafter, he accompanied Jagroop Singh, his mother and others to the hospital where she was got admitted by Jagroop Singh. In his cross-examination, he stated that a resolution was passed by the Panchayat and, thereafter, application Mark DC was moved by the Panchayat. He also stated that he had not informed the Police Post Doda, which was situated near the place of occurrence

about Charanjit Kaur accidentally catching fire. Similarly, neither Jagroop Singh nor his mother informed the police about this in his presence.

To the similar effect was the testimony of DW4 Gurmit Singh. He happened to be related to the appellants, being son-in-law of Mohinder Kaur accused and brother-in-law of Jagroop Singh accused. Moreover, DW3 Baldev Singh deposed about the presence of Mohinder Kaur, mother-in-law of the deceased at the place of the incident whereas the plea taken by the defence was that she had gone to village Barkandi.

From an overall appreciation of the entire evidence available on the file, this Court has no other option but to hold that it were the appellants, who had committed the crime. As such, no case is made out for any interference in the conviction and sentence of the appellants as recorded by the learned trial Court in the impugned judgment of conviction and sentence. The appeals are devoid of any merit and, therefore, dismissed.

(T.P.S. MANN)
JUDGE

August 28, 2015
amit rana

(GURMIT RAM)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No