

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

**CRA-S-1202-SB of 2003
Date of Decision : 14.10.2015**

Mangal Singh and ors.

.....Appellants

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE GURMIT RAM

Present: Mr. Manpreet Singh, Advocate for
Mr.S.P.S. Sidhu, Advocate for the appellants.

Ms. Svaneel Jaswal, D.A.G., Punjab.

GURMIT RAM, J.

Vide this appeal, appellants Mangal Singh and others have challenged the judgment and order of sentence dated 7.6.2003 passed by the Court of learned Sessions Judge, Faridkot in criminal case bearing FIR No.35 dated 29.3.2000 under section 304-B read with Section 34 of the IPC, Police Station Sadar, Faridkot vide which they were held guilty for the offence punishable under section 304-B read with Section 34 of the IPC and convicted thereunder with the sentence as narrated below:-

“Rigorous imprisonment for a period of ten years along with a fine of Rs.5,000/- each. In default of payment of fine to further undergo rigorous imprisonment for three months each”.

2. Precisely stated, the case of the prosecution before the learned trial Court was that on 28.3.2000, a medical ruqqa bearing No.ED

-198 dated 28.3.2000 was received at Police Station Sadar, Faridkot from Medical Hospital, Faridkot. It was to the effect that one Jamna Rani alias Jamna Devi wife of Bakhtaur Singh, resident of Nawan Qila has died on account of taking some poisonous substance (medicine). Upon this SI/SHO Davinder Singh of the said police station went to G.G.S. Medical College, Faridkot, where no guardian was found present near the dead body of Jamna Kaur. One Jagsir Singh @ Bogha Singh @ Mithu Singh son of Gurdial Singh, resident of village Kot Shamir along with some respectables met him in G.G.S. Medical College, Faridkot on 29.3.2000, who made his statement before him which is detailed as under:-

“He works as a labourer. He has two sons and two daughters. His eldest daughter Jamna Kaur @ Jamna Rani was married with Bakhtaur Singh son of Mangal Singh, resident of Nawan Qila about five years back in the month of February, 1995. He gave dowry articles according to his capacity at the time of the marriage of his daughter, but after some time of this marriage, Mangal Singh (father-in-law), Surjit Kaur (mother-in-law) and his son-in-law – Bakhtaur Singh started maltreating and harassing his daughter on the ground of bringing insufficient dowry. His daughter used to tell them as and when she came to his house that her husband Bakhtaur Singh and his parents were asking her to bring colour television and money from her parents. After one year of the marriage, his daughter came to his house and told him about the above-said demands of her in-laws. She stayed in his house for about two months. Then he along with Harnek Singh, Ex-member, Panchayat and Amarjit Singh of his village took his daughter to her in-laws house and left her there. He also made urge to her in-laws that he is a poor man and he had already given all the articles according to his

capacity. Even thereafter, the in-laws of his daughter continued to maltreat and beat her, as earlier. In January, 1996, he moved an application before S.S.P., Faridkot in this connection which was marked to Women Cell, Faridkot wherein the matter was investigated after summoning both the parties. On the intervention of respectables, he handed over his daughter to her in-laws. After some time, the conduct of the in-laws family of his daughter remained as such as it was before by raising demand of dowry. After about one year, his daughter came to village Kot Shamir and brought to his notice that her mother-in-law, father-in-law and husband are maltreating her to bring money from her parents for raising the construction of a house. Then he brought this matter to the notice of above-said Harnek Singh, Ex-Member, Panchayat and Amarjit Singh. Three days, thereafter, he made arrangement of a sum of Rs.30,000/- and then he along with said Harnek Singh, Amarjit Singh and his daughter went to her in-laws house. In the presence of said Harnek Singh and Amarjit Singh, he handed over the said sum of Rs.30,000/- to his son-in-law Bakhtaur Singh and came back after leaving his daughter in her in-laws house. Later on his son-in-law purchased some land with this amount for raising construction of his house. Now about two months back, his daughter came to his house and told to them that her in-laws family is still torturing her. They sent her back to her in-laws house after persuading her. On last night, his son-in-law Bakhtaur Singh informed telephonically to above-said Amarjit Singh that Jamna Kaur who had taken some poisonous substance (medicine) in the evening at about 6:00 p.m. had died in G.G.S. Medical College & Hospital, Faridkot. On that said Amarjit Singh further informed him about this incident. His daughter has ended her life by taking some poisonous substance on account of maltreatment and harassment caused to her by her father-in-law Mangal Singh,

mother-in-law – Surjit Kaur and husband Bakhtaur Singh. A request was made to take strict legal action against the culprits.”

After recording the above-said statement of complainant, SI/SHO Davinder Singh read over the same to him which he had thumb marked after admitting it to be correct. Upon this statement of the complainant, he (SI-SHO Davinder Singh) made his endorsement and sent ruqqa to the police station, on which the instant case was registered. Inquest report in respect of the dead body of the deceased was prepared. Post-mortem on the dead body of deceased was also got conducted. After inspecting the spot of occurrence, its rough site-plan was prepared. Accused Mangal Singh and Bakhtaur Singh were arrested in this case on 31.3.2000 and whereas accused Surjit Kaur was apprehended on 14.4.2000. Statements of witnesses were recorded. As per the report of Medical Hospital, Faridkot, deceased had died on account of consuming some poisonous substance. On completion of investigation and on receipt of report of the Chemical Examiner, challan in this case was presented in the Court of Additional Chief Judicial Magistrate, Faridkot, who committed the same to the Court of learned Sessions Judge, Faridkot for trial, after making compliance of the provisions of Section 207 of Cr.P.C.

3. After hearing the learned counsel for both the parties and perusing the record as well, a prima-facie case under Section 304-B read with Section 34 of IPC was found to have been made out against the accused and as such they were charge-sheeted accordingly by the learned trial Court vide order dated 17.8.2000, to which, they pleaded not guilty and claimed the trial.

4. In order to prove its version against the accused, the prosecution examined as many as twelve witnesses in total.

5. Then the accused were duly examined as per the provisions of Section 313 of Cr.P.C. Entire incriminating evidence as brought on the file against them during trial of the case was put to them, which was denied by them entirely. Further they pleaded their innocence and false implication in this case. It was also the plea of accused Mangal Singh and Surjit Kaur that Jamna Kaur and their son Bakhtaur Singh(accused) had been residing separately from them in a separate house. Then Bakhtaur Singh - accused in his statement also admitted that he and his wife (since deceased) were living separate from his parents. Then it was also their common plea that Jamna Kaur was suffering from mental disorder. It was denied that they ever maltreated or harassed the deceased on account of any demand of dowry as alleged by the prosecution. Death of the deceased was caused on account of her said mental disorder for which none of them is at fault.

In their defence, they also examined Avtar Singh, Sarpanch as DW1 and Hari Singh as DW2.

6. The learned trial Court after hearing the learned counsel for both the parties and going through the record as well held the accused guilty for the offence punishable under Section 304-B read with Section 34, IPC and convicted them thereunder accordingly, vide the impugned judgment of conviction and order of sentence.

7. The appellants (accused) being not satisfied with the impugned judgment of conviction and order of sentence approached this

Court by way of the instant appeal, notice of which was given to the respondent – State. Trial Court record was also requisitioned.

8. I have heard the learned counsel for the appellants, learned State counsel and have also gone through the record with their able assistance.

9. Learned counsel for the appellants has contended that there was a considerable delay in lodging the FIR in this case regarding which the prosecution did not have any explanation to justify the same. This delay was used by the complainant party to make out a concocted story for entrapping the appellants(accused) in this case falsely. Then all the allegations were general in nature and the prosecution had failed to establish on the record as to what was specific demand of the accused persons, on account of which, deceased was allegedly harassed by them. Then it is also contended that appellants Mangal Singh and Surjit Kaur were residing separately from their son Bakhtaur Singh and his wife (since deceased). Then he has also referred to the statement of DW1 Avtar Singh, who was Sarpanch of the village at the relevant time, wherein he stated that Bakhtaur Singh was separated from his parents after one year of his marriage. Then it is also his contention that PWs are discrepant on certain points and as such the prosecution story as alleged is nothing but a bundle of lies with no leg to stand. Further he has prayed for the acceptance of this appeal and for acquittal of the appellants of the charges framed against them in this case by setting aside the impugned judgment of conviction and order of sentence.

10. But on the other hand, learned State counsel has

vehemently contended that the prosecution version as alleged stood duly proved on the record during the trial of the case. The learned trial Court has rightly held the appellants guilty in this case for the offence punishable under Section 304-B read with Section 34, IPC in the light of the evidence as brought on record by the prosecution and convicted them thereunder. Then he has denied the above contentions of learned counsel for the appellants and contended that the same are not sustainable in the eyes of law for want of any substance on the record to support the same.

11. For the proper appraisal and appreciation of the above rival contentions of counsel for both the parties, it is essential to discuss the evidence of both the parties in nutshell as led during the trial of the case, which is as under:-

PW5 Jagsir Singh @ Bogha Singh @ Mithu Singh, who was the complainant stated that his daughter Jamna Kaur was married with accused Bakhtaur Singh about five years back and sufficient dowry was given by him at that time. The in-laws of his daughter i.e. mother-in-law, father-in-law and her husband started maltreating and harassing her on the ground of bringing insufficient dowry. After about one year of the marriage, they started raising demand of colour television and a sum of Rs.20,000/- in cash in dowry. All these facts were told to him by his daughter as and when she used to visit his house. Further he proved the application Ex.PH, which he moved before S.S.P., Faridkot against the accused persons for torturing his daughter on the ground of insufficient dowry and for demanding more dowry. This application was dealt with by Women Cell, Faridkot wherein the compromise was

effected between the parties on the intervention of the respectables of both the parties. Even thereafter, the in-laws of his daughter continued to maltreat and harass her on the above-said demand. Then on one occasion, this witness paid a sum of Rs.20,000/- to his son-in-law Bakhtaur Singh – accused in the presence of Harnek Singh and Amarjit Singh of his village and left his daughter in her in-laws house. Even then after some time, the accused persons started harassing his daughter on the ground of more dowry. His daughter visited his house thereafter and brought the above-said fact to his notice, but she was sent back to her in-laws house after persuading her. Even the complainant party requested accused persons not to harass his daughter on the ground of demand of more dowry, since they are poor persons. Then the intimation regarding death of his daughter was given by his son-in-law Bakhtaur Singh to Amarjit Singh of his village which was further conveyed to him by said Amarjit Singh. He proved his statement Ex.PJ, which he had made before the police with regard to the present occurrence.

The said Harnek Singh who accompanied the complainant to the house of accused Bakhtaur Singh 2-3 times for the rehabilitation of his daughter appeared as PW6 and supported the version of prosecution by lending corroboration to the above discussed statement of PW5 Jagsir Singh. Even it is also in his statement that a sum of Rs.20,000/- in cash was handed over by PW5 Jagsir Singh to his son-in-law Bakhtaur Singh in his presence which was spent by him for purchasing a plot in order to raise construction of his house.

Then there is medical evidence as came on the file in the statements of PW1, PW2 and PW8.

PW1 Dr. Rajinder Kumar, EMO, G.G.S. Medical College, Faridkot stated that patient Jamuna was brought in their hospital on 28.3.2000 with the history of Organophosphorous intake already, who was brought dead since already expired. He sent ruqqa Ex.PA in this regard to SHO, P.S. Sadar, Faridkot.

PW2 Dr.K.K. Aggarwal stated that on 29.3.2000, he along with Dr. A.S. Thind conducted post-mortem examination on the dead body of Jamuna alias Jamuna Rani daughter of Jagsir Singh alias Bogha Singh at 1:45 p.m. It was a dead body of moderately built and nourished female. Eyes and mouth were opened. Rigor mortis was present in all four limbs. Post-mortem staining was present on the back. Froth was present in both the nostrils. Lips and finger nails showed cynosis. Viscera was sent to Chemical Examiner, Patiala for chemical analysis. The time elapsed between death and post-mortem was within 24 hours. After receipt of Chemical Examiner report Ex.PD, he gave the opinion Ex.PE that cause of death in this case was organphosphorous poisoning which was ante-mortem in nature and sufficient to cause death in the ordinary course of nature. Further he proved the carbon copy of post-mortem report as Ex.PB.

The said Dr. A.S. Thind appeared as PW8 and corroborated with the statement of PW2 and also concurred with his opinion Ex.PE given with regard to cause of death of the deceased.

PW11 Paramjit Kaur, Women Police Station,

Faridkot had dealt with the application Ex.PH moved by the complainant to S.S.P., Faridkot which was marked to Women Cell, Faridkot for investigation. On the basis of application Ex.PH, both the parties were summoned and a compromise was got effected between them and accordingly she made a report Ex.PN/1. Then she also proved the photocopy of one affidavit Ex.D1 given by Jamuna Kaur at the time of this compromise.

PW12 SI/SHO Davinder Singh was the Investigating Officer in this case. On 29.3.2000, on receipt of ruqqa Ex.PA with regard to poisoning of Jamna Rani, he went to G.G.S. Medical College, Faridkot where no attendant of deceased was found present. On the next day, Jagsir Singh, father of the deceased along with some respectables met him in the said hospital and got recorded his statement Ex.PJ, upon which he made his endorsement Ex.PJ/1, on the basis of which the formal FIR Ex.PJ/2 was recorded in this case with regard to the alleged occurrence. Further he proved inquest report Ex.PQ which was prepared in respect of the dead body of deceased. Further he sent the dead body of deceased for post-mortem along with a request Ex.PC. Then he also visited the place of occurrence and prepared its rough site-plan Ex.PR. Then he prepared the parcel of the belongings of the deceased after post-mortem and the same was taken into police possession vide memo Ex.PS, which on its opening in the Court during recording of his statement was found containing one shirt (MO1), salwar (MO2) and pieces of bangles (MO3). Further he arrested the accused also, after disclosing them the grounds of their arrest vide memos Ex.PT, Ex.PU and Ex.PV.

PW3 Constable Gurdeep Singh, PW7 ASI Amarjit Singh, PW9 HC Jaspal Singh and PW10 Constable Sona Singh were the formal witnesses in this case and they tendered in their statements their duly sworn affidavits Ex.PF. Ex.PK, Ex.PM and Ex.PN(wrongly written), respectively.

PW4 Dharam Singh was the Draftsman and he prepared the scaled site-plan Ex.PG of the spot of alleged occurrence after inspecting the same.

12. On the other hand, statements of DW1 Avtar Singh, Sarpanch and DW2 Hari Singh were to the effect that accused Bakhtaur Singh along with his wife started residing separately from accused Mangal Singh and Surjit Kaur after one year of their marriage. No panchayat with regard to any dispute concerning marriage of Bakhtaur Singh and Jamna Kaur was ever convened.

13. So far the question of delay is concerned, the alleged occurrence took place during the night of 28.3.2000 and intimation regarding death of deceased was given to Amarjit Singh by Bakhtaur Singh - accused at about 9:00 p.m. on that very day, who further conveyed this fact to complainant Jagsir Singh (PW5). Then it had also come in the statement of PW5 that since no conveyance was available in the night, so they came to G.G.S. Medical College, Faridkot along with the panchayat on the next day in morning. Even it had also come in his cross-examination that he received the information about the death of his daughter at midnight. Complainant Jagsir Singh met SI/SHO Davinder Singh in G.G.S. Medical College, Faridkot on 29.3.2000 before whom he

made his statement Ex.PJ. Then as per the endorsement Ex.PJ/1 made on his said statement, the time of sending ruqqa to the police station after recording his statement was mentioned as 9:30 a.m. So as such statement Ex.PJ of the complainant might have been recorded at about 8/9:00 a.m. As above discussed, the complainant got the news regarding death of his daughter during night hours on 28.3.2000 and due to non-availability of the conveyance, he could not reach in the above-said Hospital on 28.3.2000 itself. On the next day, he met the Investigating Officer in this case and got recorded his statement Ex.PJ at the time as above-said. So it is not a case which could be termed as a case of inordinate delay. Then nothing has come on the record that this alleged delay of about 10-12 hours had been consumed by the complainant in order to make out a false story to implicate the appellants in this case without any rhyme. Herein the support is taken from the case law as laid down by the Hon'ble Apex Court in *Sher Singh alias Partapa Versus State of Haryana, AIR 2015 (SC) 980*. In this case FIR was lodged after 10 hours on next day of tragedy. It was held that there is no perversity in the concurrent views that lodgment of the FIR after ten hours on the day next after the tragedy did not constitute inordinate delay such as would justifiable categorizing the FIR as an afterthought or contrived. So the above contention of learned counsel for the appellants is held to be not sustainable and the same stands rejected.

14. Now the next question which is to be seen in this case is that as to whether all the appellants could be held liable for causing death of deceased by harassing and maltreating her on the ground of

inadequate dowry and for bringing more dowry either in cash or kind. The learned trial Court as above discussed has held all of the appellants guilty of the said crime vide the impugned judgment. Now as above discussed, it has come in the statement of PW5 Jagsir Singh - complainant that his daughter had brought to his notice many times that she was being harassed and maltreated by her in-laws on the ground of bringing more dowry and cash. Then it had come in the statement of PW5 that after arranging a sum of Rs.20,000/-, he along with Harnek Singh and Amarjit Singh of his village came to the in-laws house of his daughter and handed over the said sum to his son-in-law Bakhtaur Singh in their presence. Then it was also found recorded in the statement of Amarjit Singh(PW7) that this amount was used by Bakhtaur Singh accused for purchasing a plot for raising the construction of his house. So harassment of the deceased on account of the demand of money could be attributed to appellant Bakhtaur Singh only. The second demand on which the daughter of the complainant was allegedly harassed by the appellants was for a colour television. So, if any such television was given to the appellants as per their alleged demand, then it was also for the use of his daughter, her husband and their children if any and of no use for the remaining appellants.

Both the accused as well as the complainant party belong to labour class. Due to their financial circumspection, it was not possible for the parents of the husband of deceased to provide him separate residence for his living along with his wife after his marriage. They had to live joint due to their financial constraint and compulsion. Even a married person along with his wife can live in a portion of the

joint house separate from the other members of his family. If the bride and bridegroom are living together with the parents of the bridegroom, then that jointness alone itself cannot be construed as a ground to bring the father-in-law and mother-in-law within the ambit of provisions of Section 304-B of the IPC unless there is some specific evidence to show that they did an active participation in harassing the deceased on the ground of demand of more dowry. Except the oral assertions qua the involvement of appellants No.1 and 3 in the alleged crime, there is no other trustworthy documentary evidence against them on the record. Even as above discussed DW1 and DW2 had deposed that appellant Bakhtaur Singh along with his wife started living separately from his parents after one year of his marriage. So in all the probabilities, the criminal liability, if any, is to be attracted with regard to the commission of alleged crime, the same could be to the extent of appellant No.2 Bakhtaur Singh, the husband of the deceased.

15. The contention of the counsel for the appellants that there was general and vague allegations against the appellants with regard to demand of dowry is also held to be not tenable because it is established on record that there was specific demand of colour television and of cash in dowry on the part of appellant No.2 above-said. Then it had also come in the above discussed statements of PW5 and PW6 that on one occasion a sum of Rs.20,000/- was paid to the appellant No.2 Bakhtaur Singh on his demand, though no writing to this effect was made. A writing or receipt regarding making of payment of any money can be made/taken when there are business dealings between the parties concerned, but in a

matrimonial case, it is difficult for the parents of the bride to call her husband or his parents to give something in writing with regard to the receipt of the dowry either in kind or in cash. The failure of PW5 to tell about the date and time with regard to the payment of Rs.20,000/- to appellant No.2 Bakhtaur Singh is not of any much significance since he is an illiterate and poor person. His statement could not be discarded on this very ground.

16. Then it is also contended by the learned counsel for the appellants that no evidence was brought on the record by the prosecution that deceased was subjected to harassment and maltreatment on the ground of demand of more dowry soon before her death and as such this ingredient in order to constitute the offence under Section 304-B of the IPC is missing. The words 'soon before her death' are used in Section 304-B of IPC and in Section 113-B of the Indian Evidence Act without defining any period limit qua this concept of 'soon before her death'. In this case, one application Ex.PH had come on the record which complainant Jagsir Singh had moved before S.S.P., Faridkot for the harassment and maltreatment of his daughter on the ground of demand of more dowry against the present appellants which is dated 17.1.1996. The marriage of the deceased in the present case admittedly held in February, 1995. Then in the statement Ex.PJ of the complainant he got recorded that his daughter had told him several times regarding her harassment and torturing by her in-laws on account of demand of more dowry. Even two times, he visited her in-laws house in the company of Amarjit Singh and Harnek Singh to make understand her in-laws with the request not to

harass his daughter, since he is a poor man. So no hard and fast rule can be laid down or any formula adopted with regard to the interpretation of words 'soon before her death'. Each case is to be considered and interpreted in the light of its own facts, circumstances and as well as the evidence. Application Ex.PH is enough to say that the husband of the deceased had started harassing her on the ground of demand of more dowry within one year of her marriage. So by taking the entire evidence on record, it is held that deceased was subjected to cruelty on the ground of demand of more dowry 'soon before her death' by her husband.

Then there are certain case laws on this point, which are discussed as under:-

1. **Mustafa Shahadal Shaikh Versus State of Maharashtra, AIR 2013(SC) 851.**

Para No.8 of this case law is found to be relevant which is as under:-

“To attract the provisions of Section 304-B, one of the main ingredients of the offence which is required to be established is that “soon before her death” she was subjected to cruelty or harassment “for, or in connection with the demand for dowry”. The expression “soon before her death” used in Section 304-B, IPC and Section 113-B of the Evidence Act is present with the idea of proximity test. In fact, learned counsel appearing for the appellant submitted that there is no proximity for the alleged demand of dowry and harassment. With regard to the said claim, we shall advert to the same while considering the evidence led in by the prosecution. Though the language used “soon before her death”, no definite period has been enacted and the expression “soon before her death” has not been defined in

both the enactments. Accordingly, the determination of the period which can come within the term “soon before her death” is to be determined by the courts, depending upon the facts and circumstances of each case. However, the said expression would normally imply that the interval should not be much between the concerned cruelty or harassment and the death in question. In other words, there must be existence of a proximate and live link between the effect of cruelty based on dowry demand and the concerned death. If the alleged incident of cruelty is remote in time and has become stale enough not to disturb the mental equilibrium of the woman concerned, it would be of no consequence.

2. **Surinder Singh Versus State of Haryana, AIR**

2014(SC) 817 wherein it has been held as under:-

“Harassment of a married woman in an Indian household is a peculiar phenomenon. In most cases it is seen that the husband or the members of his family are never satisfied with what they get as dowry. The wife's family is expected to keep fulfilling this insatiable demand in some form or the other for some period of time after marriage. Such demands are also fulfilled by parents of the wife for fear of their daughter being ill-treated. The courts of law cannot lose sight of these realities. The presumption under Section 113-B of the Indian Evidence Act, 1872 and the presumption under Section 304-B of the IPC have a purpose. These are beneficent provisions aimed at giving relief to a woman subjected to cruelty routinely in an Indian household. The meaning to be applied to each word of these provisions has to be in accord with the legislative intent. Even while construing these provisions strictly, care will have to be taken to see that their object is not frustrated.”

3. **Sher Singh alias Partapa Versus State of Haryana**(supra) wherein it was held as under:-

“The purpose of Section 113-B of the Evidence Act and Section 304-B of the IPC, in our opinion, is to counter what is commonly encountered – the lack or the absence of evidence in the case of suicide or death of a woman within seven years of marriage. If the word “shown” has to be given its ordinary meaning then it would only require the prosecution to merely present its evidence in Court, not necessarily through oral deposition, and thereupon make the accused lead detailed evidence to be followed by that of the prosecution. This procedure is unknown to Common Law systems, and beyond the contemplation of the Cr.P.C.”

17. In the light of above discussion, it is well proved on the record that deceased was married with appellant No.2 Bakhtaur Singh in February, 1995. Her death was caused in her in-laws house in March, 2000 i.e. within seven years from the date of her marriage. Then it was also proved on the record that deceased was subjected to cruelty by way of harassment and maltreatment caused to her by her husband on the ground of bringing more dowry both in kind and in cash from her parents. The cause of her death was due to taking of Organophosphorous, i.e. in unnatural circumstances and not her natural death.

18. So in the end, this appeal qua appellant No.2 Bakhtaur Singh stands dismissed and disposed of. Impugned judgment and sentence qua him except fine stand upheld, but this appeal qua appellant No.1–Mangal Singh and appellant No.3 Surjit Kaur is accepted. The impugned judgment holding them guilty stands set aside to this extent. They are acquitted of the charges framed against them by granting

them the benefit of doubt. They and their sureties are also discharged from their liability of bail bonds and surety bonds respectively.

As per the record, appellant No.2 Bakhtaur Singh is on bail. His bail bonds and surety bonds stand cancelled. Let he be taken into custody and be sent to jail for undergoing the remaining sentence of imprisonment imposed upon him by learned trial Court vide the impugned judgment and order of sentence.

Copy of this judgment be sent to the quarter concerned for its strict compliance.

14.10.2015

Brij

**(GURMIT RAM)
JUDGE**

1. To be referred to the Reporters or not? Yes
2. Whether the judgment should be reported in the Digest? Yes