

HON'BLE SRI JUSTICE SANJAY KUMAR
AND
HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL APPEAL No.256 OF 2011

JUDGMENT: (*Per Hon'ble Dr. Justice Shameem Akther*)

1. This Criminal Appeal, under Section 374(2) of the Code of Criminal Procedure, 1973 (for brevity, 'the Cr.P.C.'), is filed by the appellants-Accused Nos.1 and 2 questioning the judgment dated 10.03.2011, passed in Sessions Case No.458 of 2009 by the VII Additional District and Sessions Judge (Fast Track Court), Madanapalle, Chittoor District (for brevity, 'the trial Court'), whereby the trial Court convicted the appellants-accused Nos.1 and 2 under Section 235(2) Cr.P.C. and sentenced them to undergo imprisonment for life for the offence under Section 302 of the Indian Penal Code, 1860 (for brevity, 'the I.P.C.') and also directed them to undergo Rigorous Imprisonment for a period of three (3) years for the offence under Section 201 I.P.C. by acquitting the accused Nos.3 to 5 under Section 235(1) Cr.P.C. for the offence under Section 201 I.P.C.

2. Heard Sri. K.Suresh Reddy, learned counsel appearing for the appellants-accused Nos.1 and 2, and Sri. Posani Venkateswarlu, learned Public Prosecutor, appearing for the respondent-State (A.P.).

3. The case of the prosecution, in brief, is P.W.17 T.Sarkar, Inspector of Police, Mulakalacheruvu circle, laid charge sheet against the accused Nos.1 to 5, alleging that there were ill-

feelings between one Sankiri Krishnappa (Hereinafter referred to as 'the deceased') and accused since ten years. About three months prior to the incident, one Ramana, who is the younger brother of accused Nos.2 and 3, and one Seena, who is the younger brother of deceased, quarreled with each other over a petty issue. About two months prior to the incident, P.W.1, son of the deceased, took the daughter of accused No.1 by name Hemalatha and kept her with him for three days. When the matter was taken to the notice of deceased and asked to do justice to the daughter of accused No.1, the deceased told, to do whatever the accused can do against his son. Since then accused Nos.1 and 2 bore grudge against the deceased and designed a plan to kill the deceased and fifteen days prior to the incident, accused No.1 went to Kadiri and purchased a knife for Rs.90/- and accused No.2 kept a sickle to kill the deceased and on 04.01.2009 at about 07:00 p.m., accused Nos.1 and 2 armed with knife and sickle, formed into group with a common intention to kill the deceased, followed the deceased, who was going on the TVS Moped of P.W.3; at about 08:20 p.m. when the deceased got down the moped of P.W.3 at Duggasanivaripalle and going to Kondakindhavaddipally on foot, accused Nos.1 and 2 followed the deceased and attacked him at Vaddivanivanka; accused No.1 stabbed the deceased with a knife on his stomach, chest and backside and caused severe bleeding injuries; due to which, the deceased fell down on the ground, then accused No.2 hacked the deceased with a sickle indiscriminately over the body

of deceased; as a result of which, the deceased died. After murdering the deceased, appellants-accused Nos.1 and 2 dragged the dead body of deceased from the scene of offence to the nearby fields; later, accused Nos.2 to 5 formed themselves into a group, took the dead body and thrown it into the waters of Musalivanikunta, with a common intention to screen off the evidence and went away from the scene of offence.

4. On 05.01.2009 at about 12 noon, on the report given by P.W.1, son of the deceased, a case in Crime No.1 of 2009 was registered by P.W.14, Sub-Inspector of Police, Mulakalacheruvu Police Station, under the head of 'man missing'. Subsequently, P.W.4, V.R.O. of Mulakalacheruvu, during the search, found the dead body of deceased with bleeding injuries in the waters of Musalivanikunta and gave written report to P.W.13, Head Constable, Molakalacheruvu police station, on 06.09.2009 at 04:00 p.m. suspecting accused No.1 in causing the murder of the deceased. Basing on the same, on the instructions of P.W.14, P.W.13 altered the section of law from 'man missing' to Sections 302 and 201 r/w 34 I.P.C. and sent express F.I.R. copies to all the concerned. P.W.17, Inspector of Police, Mulakalacheruvu Police Station took up further investigation in the matter, inspected the scene of offence, drawn rough sketch, seized blood stained soil and controlled soil, shifted the dead body of deceased to Area Hospital, Madanapalle for conducting autopsy and on 07.01.2009 conducted inquest over the dead body of deceased and seized blood stained clothes and

recorded the 161(3) Cr.P.C. statements of the witnesses and on 12.01.2009 arrested the accused Nos.1 to 5 and on their confession, seized the material objects and sent them to judicial remand.

5. The case was committed to the Court of Principal District and Sessions Judge, Chittoor; the Sessions Court, made over the same to the VII Additional District and Sessions Judge (F.T.C.), Madanapalle. The trial Court framed charges against the accused Nos.1 and 2 for the offences under Sections 302 and 201 I.P.C., and against accused Nos.3 to 5 for the offence under Section 201 I.P.C., for which they pleaded not guilty. The prosecution to substantiate its case examined P.Ws.1 to 17 and marked Exs.P.1 to P.36 and M.Os.1 to 4. The accused Nos.1 to 5, were examined under Section 313 Cr.P.C., denied the incriminating evidence, did not adduce any evidence to defend their case. The trial Court, on appreciation of the entire evidence on record, convicted and sentenced the appellants/accused Nos.1 and 2 as stated above and acquitted the other accused.

6. The accused Nos.1 and 2 are the appellants herein. Sri K.Suresh Reddy, learned counsel appearing for the accused Nos.1 and 2, would submit that the trial Court erred in convicting and sentencing the accused Nos.1 and 2 for the offences under Sections 302 and 201 I.P.C. The trial Court erred in believing the evidence of P.Ws.1, 2, 3 and 16. The entire case is based on circumstantial evidence; the last seen theory has not been

proved. P.Ws.1 and 2 are interested witnesses; P.W.3 did not support the case of prosecution. There is no 161 Cr.P.C. statement of P.W.16. The trial Court ought not to have acted on the evidence of P.W.16 and the evidence of P.W.14 that the dog had led to the house of the accused Nos.1 and 2. The prosecution has miserably failed to prove the guilt of the accused Nos.1 and 2 and ultimately prayed to set-aside the conviction and sentence recorded and acquit the accused Nos.1 and 2 of the charges framed against them by allowing this Appeal.

7. Sri Posani Venkateswarlu, learned Public Prosecutor appearing for the respondent-State (A.P.), would contend that P.Ws.1 and 2, son and brother of the deceased, supported the case of prosecution. The evidence of P.W.14 is also admissible with regard to the dog smelling the blood stains and leading to the house of accused Nos.1 and 2. There is no reason for P.W.16 to depose false; after following the due procedure, P.W.16 was examined by the trial Court. There is no infirmity in the impugned judgment. The findings of the trial Court are based on the evidence on record and ultimately prayed to sustain the impugned judgment.

8. In view of the contentions put forth by both sides, the following **points** have come up for determination:

1. Whether the accused Nos.1 and 2 caused the death of Sankiri Krishnappa (deceased)?

2. Whether the conviction and sentence recorded against the accused Nos.1 and 2 for the offences under Sections 302 and 201 I.P.C is sustainable?

9. **POINT Nos.1 and 2:** The case of the prosecution is that there were ill-feelings between deceased and the accused for the last ten years. There was also a quarrel between one Ramana, younger brother of accused Nos.2 and 3, and one Seena, younger brother of the deceased. In that quarrel, the deceased supported his brother; due to animosity accused Nos.1 and 2 had caused the subject death on 04.01.2009 and after committing the offence they caused the disappearance of evidence. To prove the accusation, the prosecution examined P.Ws.1 to 17, marked Exs.P-1 to P-36 and M.O.s.1 to 4. The trial Court placing reliance on the evidence of P.Ws.1, 2, 3, 14, 16 and other witnesses on record held that the accused Nos.1 and 2 committed the offences under Sections 302 and 201 I.P.C. and sentenced them as stated supra.

10. The evidence of P.W.1 Sankiri Murali reveals that he is the son of the deceased; he lodged Ex.P-1 report to the Police on 05.01.2009 at 12 hours. His father was an agriculturist; he found missing of his father from the evening of 04.01.2009. On that day his father went to Mulakalacheruvu on some work but did not return. On 05.01.2009 at 08:00 a.m. he came to know the blood stains between Duggasanivaripalle and Kondakindavaddipalle

and traces of dragging a person. At that time, he was in the house and immediately he went to that place found the bloodstain marks. P.W.3 also came there and informed him that he dropped his father at 08:00 p.m. on 04.01.2009 at Duggasanivaripalle by his T.V.S. moped. P.W.3 also informed him that accused Nos.1 and 2 followed his father; then he got suspicion on accused Nos.1 and 2 and one Ramana Reddy. P.W.1 also deposed about the quarrel between the brother of accused No.2 and his uncle. There is also the evidence of P.W.1 that the daughter of accused No.1 was sent to his house to implicate him in a false case on an allegation that he misbehaved with her. He identified M.O.1 blood stains shirt; M.O.2 blood stains banian; M.O.3. dhoti of his father. P.W.1 gave the other details of the quarrel between Seena and Ramana, but stated that no case was registered in respect of that quarrel.

11. The evidence of P.W.2 S.Sankara reveals that he is the brother of deceased. On 04.01.2009 at 05:00 p.m. the deceased left for Mulakalacheruvu and did not return; on 05.01.2009 at about 08:00 a.m. when people were talking about blood stains and dragging marks of a person on a way situated between Duggasanivaripalle and Kondakindavaddipalle, he along with P.W.1, L.W.2 Venkata Narasamma and other villagers went to that place and found the blood stains. P.W.3 came there and informed that he dropped the deceased by his moped from Mulakalacheruvu to Duggasanivaripalle on 04.01.2009 at 08:00 p.m. and also informed that accused Nos.1 and 2 followed the

deceased and then he suspected accused Nos.1 and 2 in killing the deceased, in view of the earlier quarrel between Seena and Ramana. He further stated that the said quarrel was settled in a panchayat. In the cross-examination P.W.2 stated that no report was lodged to the police with regard to the quarrel between Seena and Ramana and he did not state anything against the other accused *i.e.*, accused Nos.3 to 5.

12. The evidence of P.W.3 E.Raghunatha Reddy reveals that he knows the deceased and saw the deceased at 07:00 p.m. two years back at Mulakalacheruvu. The deceased asked him whether he was going to village, P.W.3 replied yes and took the deceased on his T.V.S. moped to Duggasanivaripalle and dropped him there at 08:00 p.m. Thereafter he did not know what happened to deceased; on next day at 11:00 a.m. he came to know the death of deceased and he was examined by the Police.

13. The evidence of P.W.4 P.Saleem Basha, who is the V.R.O. of Mulakalacheruvu, reveals that on seeing the blood stains on 05.01.2009, he gave Ex.P-4 report to the Police around 03:30 or 4:00 p.m. on 06.01.2009, he himself, P.W.14, Sub-Inspector of Police, and other villagers of Vaddepally searched for the dead body and on the request of S.I. of Police, the villagers brought the dead body from the waters of Musalivanikunta, there were stab injuries on the dead body and the relatives of Krishnappa identified the dead body. He was not present at the time of conduct of inquest over the dead body. P.W.4 also stated that

P.Ws.1 and 2 were not present when the dead body was identified by the villagers.

14. P.W.5 B.Giri turned hostile and did not support the case of prosecution.

15. P.W.6 P.Srinivasulu did not state anything incriminating against any of the accused.

16. P.W.7 P.Venkatramana, deposed that he did not observe any wounds over the dead body and he does not know about the disputes between the accused and deceased.

17. P.W.8 Basi Reddy deposed about the conduct of scene of offence panchanama under Ex.P-6 and also deposed that on 06.01.2009 he was summoned by S.I. of police. The dead body was taken out from the waters of Musalivanikunta and a panchanama was drafted under Ex.P-7. Ex.P-8 is the rough sketch map prepared by, P.W.14, S.I. of police, and Ex.P-9 is the rough sketch prepared by P.W.17, C.I. of police, and he signed on those panchanamas. Ex.P-10 is the inquest panchanama contains his signature.

18. The evidence of P.W.9 A.Masood Basha reveals that he was a reporter in Eenadu newspaper and took the photographs of the dead body at 06:00 p.m. on 06.01.2009 and on 07.01.2009 he signed the inquest panchanama.

19. The evidence of P.W.10 P.Mujeeb Basha reveals that he signed on the inquest panchanama.

20. The evidence of P.W.11 K.Amaranarayana, who is stated to be the V.R.O. of Sompalli and said to be a witness to the confession and recovery of material objects, did not support the case of prosecution. He deposed that he was asked to sign on the panchanama Ex.P-11 which was already prepared. He identified his signatures on the panchanamas and those signatures were marked as Exs.P-12 to P-17.

21. The evidence of P.W.12 P.Sriramulu reveals that he is another panch witness to the alleged recovery of material objects, pursuant to confession made by the accused; he did not support the case of prosecution; he identified his signatures on the panchanamas and those signatures were marked as Exs.P-18 to P-25.

22. The evidence of P.W.13 N.Narayana reveals that he was the Head Constable at Mulakalacheruvu Police Station and he deposed about the receipt of Ex.P-4 report from P.W.4, V.R.O. of Mulakalcheruvu, and thereafter he altered the Section of law in Crime No.1 of 2009 from 'man missing' to that of Sections 302 and 201 r/w 34 I.P.C. Ex.P-26 is the altered F.I.R.

23. The evidence of P.W.14 P.Suresh Kumar, Sub-Inspector of Police reveals that on 05.01.2009 at 12 noon he received a written report from P.W.1 and registered the same as a case in

Crime No.1 of 2009 under the head of man missing. He further stated that he recorded the statement of P.W.1 and other witnesses; when the section of law is altered from man missing to Sections 302 and 201 r/w 34 I.P.C., he handed over the C.D. to Inspector of Police for further investigation.

24. The evidence of P.W.15 Dr.Narayanaiah reveals that on 07.01.2009 at about 02:15 p.m. he received a requisition from Station House Officer, Mulakalacheruvu to conduct autopsy over the dead body of deceased and on examination of the dead body he found the following injuries:

1. A cut injury scalp on right parietal region measuring 10 x 2 c.ms. bone deep;
2. An incised cut injury including cutting of lower jaw extending from the chin up to left side of the neck measuring 22 x 4 c.ms;
3. An incised injury extending from below the nose up to the lateral side of neck including cutting of upper left jaw, splitting of tongue, broke four teeth measuring 23 x 3 c.ms.;
4. A cut injury right shoulder 2 x 1 c.m.;
5. Injury right fore-arm measuring 7 x 1 c.m.;
6. Cut injury on right palm;
7. Injury on right side of chest measuring 5 x 1 c.m.;

8. Incised wound left fore-arm including left wrist, both ulna and radius bones are cut into two pieces, measuring 17 x 5 c.m.;
9. Injury left upper arm measuring 4 x 1 c.m.;
10. A cut injury left iliac fossa measuring 7 x 2 c.m., loop of intestines are peeping out of the injury;
11. An Incised wound bone deep at left groin measuring 22 x 4 c.m.;
12. An incised wound at left iliac fossa 2 inches right to the injury No.11 measuring 3 x 2 c.m.;
13. A deep cut injury at the middle part of left thigh, cut through all muscles and frenum except back skin measuring 29 x 8 c.ms.;
14. Cut injury lower $\frac{1}{3}^{\text{rd}}$ of left leg measuring 8 x 2 c.ms. fibula also separated; and
15. Scratches over right side of abdomen measuring 27 x 20 c.ms.

P.W.15 opined that the deceased appear to have been died due to hypovolemic shock caused by bleeding injuries and the time of death was 24 to 48 hours prior to his examination. Ex.P-27 is the post-mortem examination report. He further stated that the injuries mentioned therein were possible if a person is attacked with a sickle and injury No.15 is possible by dragging. In cross-examination he stated that he did not mention in Ex.P-27 that the

injuries are possible by using a weapon like sickle and injury No.15 is possible, if a person is dragged on the ground.

25. The evidence of P.W.16 Derangula Venkata Kumar reveals that on 04.01.2009 at about 08:00 or 08:30 p.m. when he was returning from his village to Madanapalle, he observed the presence of five persons near vanka, situated in between the villages Duggasanivaripalle and Kondakindavaddipalle. He further stated that accused Nos.1 and 2 and the deceased were among those five persons exchanging words with regard to money transactions. He identified accused Nos.1 and 2 in the open court. Then he questioned them why they were quarrelling with each other; the other persons, who were near by him there, were not the persons standing before the Court on that day. Thereafter he left the spot. Next day at about 10:00 a.m. the villagers informed him through telephone that Krishnappa was killed, but did not inform the names of persons who killed Krishnappa. He informed the same to his villagers but did not inform the same to Police.

26. The evidence of P.W.17 T.Sarkar, Circle Inspector of Police and investigation officer in this case, reveals about his conduct of investigation and filing the charge sheet against the accused for the offences under Sections 302 and 201 r/w 34 I.P.C. His further evidence reveals that accused Nos.1 to 5 confessed to him the commission of offence. Exs.P-28 and P-29 are the admissible portions of confessions of accused Nos.1 and

2. Ex.P-30 is the rough sketch prepared by him for the arrest of accused. Accused No.2 led the Police and took out a bloodstained sickle and handed over the same. Ex.P-31 is the mahazar panchanama; Ex.P-32 is the rough sketch. Accused No.1 led them to a tamarind tree behind Sompalli temple; from there he produced a bloodstained knife and handed over the same to him. Ex.P-33 is the seizure panchanama of knife.

27. Admittedly the panch witnesses did not support the alleged confession and seizure of bloodstained sickle and knife as deposed by P.W.17. As there was no whisper in the entire evidence against the accused Nos.3 to 5, the trial Court had rightly acquitted them of the charges framed against them. There is no much dispute with regard to homicidal death of the deceased. There is also no dispute with regard to the tracing of the dead body from the waters of Musalivanikunta. The case of accused Nos.1 and 2 is that they did not follow the deceased on 04.01.2009 at 08:00 p.m. There was no quarrel between them and deceased and they are falsely implicated in this case. The whole case of the prosecution is based on the last seen theory. The trial Court had placed much reliance on the evidence of P.W.16. Admittedly, P.W.16 did not inform to any one about his noticing the deceased, accused Nos.1 and 2 on 04.01.2009 at 08:00 or 08:30 p.m. and there was exchange of words between them. There is evidence of PW.16 on the next day at 10:00 a.m. he came to know that the deceased was killed; even then he did not inform that he saw the deceased and accused Nos.1 and 2

exchanging words with regard to money transactions. PWs.1, 2 (son and brother of the deceased) and 3 did not say that there were disputes between the deceased and accused Nos.1 and 2 with regard to monetary transactions. As per their evidence, there was a quarrel between the younger brother of accused Nos.2 and 3 and Seena, uncle of P.W.1, but the same was attended in a panchayat and was amicable settled. Under Ex.P-1 report there was a reference with regard to the quarrel between the brother of deceased and brother of accused Nos.2 and 3 and P.W.1 suspecting accused Nos.1 and 2 for disappearance of deceased. Though there is a mention that P.W.3 saw the deceased and accused Nos.1 and 2 together, P.W.3 did not support the same. During investigation it has not come to light that P.W.16 witnessed accused Nos.1 and 2 and deceased together and exchanging words with regard to monetary transactions. It has come for the first time on record. No statement of P.W.16 was recorded by the Police under Section 161 Cr.P.C. In cross-examination PW.16 stated that accused Nos.1 and 2 and the deceased are related to him through his mother. On receipt of telephonic information, he went to the Police station i.e., Mulakalacheruvu, there he saw P.Ws.1 and 2 and L.W.2 Sankiri Venkata Narasamma, wife of deceased, but did not inform to P.Ws.1 and 2 or the wife of deceased the exchange of words between accused Nos.1, 2 and deceased. The evidence of P.W.16 further reveals that he did not attend any rituals of the deceased. He used to go to Adavicheruvu village once in three

months. He did not reveal the incident to the family members of deceased till January, when the villagers informed him that the case is going to be ended in acquittal, he went to the Police Station, scribed the petition on 06.01.2011 and submitted the same in the Police station.

28. The death in question was caused on 04.01.2009. P.W.16 did not inform anything about this case either to his relatives or to the relatives of the deceased or to the Police personnel, but only on 06.01.2011 he made a written report to the Police stating that he saw accused Nos.1 and 2 and deceased together, there was exchange of words between them. The evidence of P.W.16 is that the deceased stood as guarantor for the loan raised by him in Indian Bank, Mulakalacheruvu six years prior to the death of deceased. He denied a suggestion that he is the person behind this case, the deceased was his close relative, and the accused Nos.1 and 2 did not indulge in any altercation with the deceased and also denied that he did not see the deceased and accused Nos.1 and 2 together. His evidence further reveals that he was 65 years old, hale and healthy at the time of his examination before the trial Court. He used to visit Adavicheruve village once in three months and he is related to deceased. The conduct exhibited by P.W.16 appears to be more improbable. It is not the case of P.W.16 that he withheld the information under a threat, undue influence or for any other justifiable reason. From day one P.W.16 is aware of the death is homicidal. As per the evidence on record, there were no disputes between the accused Nos.1

and 2 and the deceased with regard to monetary transactions. PW.16 had stated something different than the motive setup in this case by P.Ws.1 and 2. Viewing from any angle, P.W.16 is not a truthful witness and it is unsafe to act on his testimony.

29. At this stage, it is apt to refer the decision rendered by the Hon'ble Supreme Court in ***Dasari Siva Prasad Reddy Vs. The Public Prosecutor, High Court of A.P.***¹, wherein it was held as follows:

“24. A strong suspicion, no doubt, exists against the appellant but such suspicion cannot be the basis of conviction, going by the standard of proof required in a criminal case. The distance between 'may be true' and 'must be true' shall be fully covered by reliable evidence adduced by the prosecution. But, that has not been done in the instant case. If, coupled with the circumstance unfolded by the evidence of PW3, the evidence of PW4 had believed, it would have gone a long way in substantiating the prosecution case. But, in the instant case, apart from the fact that the appellant was at his house on the morning of 20th April 1996, there is no other circumstance whatsoever which connects the accused to the crime, though serious suspicion looms large about his involvement. The view taken by the trial Court that the prosecution could not establish the complete chain of circumstances incriminating the accused is a reasonably possible view and the High Court should not have disturbed the same. Having regard to the state of available evidence, the benefit of doubt given to the accused by the trial Court warranted no interference by the High Court.”

¹ AIR 2004 SC 4383

30. There are no direct witnesses to the alleged offence. P.W.3 who is said to have seen the deceased in the company of accused Nos.1 and 2 did not support the case of prosecution. P.W.16 is not a truthful witness, as his conduct is un-natural. There was no need for P.W.16 to follow the proceedings of trial Court and evince so much interest with regard to result of the case. P.W.14, Sub-Inspector of Police, stated that the sniffer dog led the Police party to the houses of accused Nos.1 and 2. When there are no direct witnesses and the evidence of last seen witness *i.e.*, P.W.16 is doubtful, no reliance can be placed over the evidence of P.W.14. The panch witnesses did not support the prosecution case with regard to recovery of alleged weapons used in the commission of offence. The material objects said to have recovered pursuant to the confession made by the accused Nos.1 and 2 were also not marked. So undoubtedly, the material on record establishes only a suspicion against the accused Nos.1 and 2 and it cannot be a basis for their conviction. The standard of proof required in a criminal case is high. The distance between 'may be true' and 'must be true' shall be fully covered by leading cogent and convincing evidence. There is no such evidence available on record. When the evidence of P.W.16 is discarded there are no other circumstances whatsoever to connect the accused Nos.1 and 2 to the death of deceased. The prosecution could not establish a complete chain of circumstances incriminating the accused Nos.1 and 2 for causing the death of deceased. The trial Court

ought to have given the benefit of doubt to the accused Nos.1 and 2. The findings of the trial Court are contrary to facts of the case and law. Therefore, the conviction and sentence recorded against the appellants/accused Nos.1 and 2 for the offences under Sections 302 and 201 I.P.C. is liable to be set-aside and consequently they are entitled for acquittal of the charges framed against them.

31. In the result, the conviction and sentence recorded against the appellants/accused Nos.1 and 2 for the offences under Sections 302 and 201 I.P.C. is set-aside and they are acquitted of the charges framed against them. The Criminal Appeal is allowed accordingly. In the light of the acquittal, the appellants/accused Nos.1 and 2, who are on bail as per the order dated 16.11.2016, passed in Crl.A. M.P. No.1798 of 2016, are directed to surrender before the Superintendent, Open Jail, Anantapur forthwith; on such surrender, the Superintendent, Open Jail, Anantapur shall release the appellants/accused Nos.1 and 2 in terms of this judgment, if they are not required in connection with any other case.

32. As a sequel, miscellaneous petitions, if any, pending in this Appeal shall stand closed.

SANJAY KUMAR, J

Dr. SHAMEEM AKTHER, J

Date: 18-09-2017
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HON'BLE SRI JUSTICE SANJAY KUMAR

AND

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

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CRIMINAL APPEAL No.256 OF 2011

(Judgment of the Division Bench delivered by
Hon'ble Dr. Justice Shameem Akther)

Date. 18-09-2017

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