

In the High Court of Punjab and Haryana at Chandigarh.

Criminal Appeal-D No. 14-DB of 2010

Date of Decision:- November 8, 2017

Gurdeep Nath

.....Appellant

Versus

State of Punjab

.....Respondent

CORAM: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurminder Singh Gill

Present : Mr. K.R.Dhawan, Advocate, for the appellant.

Ms. Ruchika Sabharwal, Assistant Advocate General, Punjab.

Gurminder Singh Gill, J.

1. Gurdeep Nath has filed the present appeal challenging judgment dated 7.11.2009 passed by the Court of learned Additional Sessions Judge, Moga vide which he has been convicted for offence punishable under section 302 IPC and has been sentenced to undergo imprisonment for life and also to pay fine of ₹10,000/-. In default of payment of fine, he has been ordered to undergo further rigorous imprisonment for two years.
2. The matter arises out of FIR No.246 lodged at Police Station, Dharamkot, District Moga on 1.11.2006 under Section 302 IPC on the basis of statement (Ex.P1) of Nisha wife of Sant Ram resident of Mullanpur Dakhan, District Ludhiana. The translated gist of her statement reads as follows:-

“I am resident of aforesaid address. My daughter namely Manna was

married to Gurdeep Nath, caste Jogi, resident of Dharamkot, about four years back. After about one year of marriage, he started suspecting character of my daughter and started beating her on the said count. Due to the said quarrels, my daughter used to come to me but I used to reason out with her and used to send her back to her matrimonial home. Yesterday, upon getting information about her quarrel, I along with my 'Deor' (brother-in-law) Avtar Singh came to see my daughter at about 7-8 P.M. and reasoned out with both of them. After taking dinner they went to sleep in their hut. We also slept outside the hut. During night, at about 2 A.M., we were awakened by shrieks of my daughter Manna and saw my son-in-law Gurdeep Nath in the hut carrying a 'Kandhala'. He hit my daughter with the same on the right side of her head. He gave more blows with 'Kandhala' to my daughter and upon receipt of said blows she fell on the floor. When we raised alarm 'Na maar – na maar' (don't hit), my son-in-law Gurdeep Nath ran away from the spot along with 'Kandhala'. We attended to our daughter but due to injury on her head, she breathed her last at the spot. We had been calling our relatives. Now, my husband Sant Ram and other relatives have reached. After leaving my husband Sant Ram and relatives near the dead body, I along with my brother-in-law Avtar Singh was proceeding to Police Station to lodge a report when you met me on the way. I have made my statement. The motive is that Gurdeep Nath was having suspicion as regards character of my daughter and due to which he killed her by giving blows with 'Kandhala' on her head. Action be taken.”

3. Upon recording of aforesaid statement, the police went to the spot and conducted investigation. Inquest proceedings were conducted. Formal FIR was lodged. The dead body was sent for post-mortem examination. Statements of witnesses were recorded under Section 161 Cr.P.C. The accused was arrested on 3.11.2006. During interrogation, accused suffered disclosure statement Ex.P-16 to the effect that he had concealed '*Kandhala*' used for committing the crime and in pursuance of the said disclosure statement kept the '*Kandhala*' recovered which was taken into possession vide recovery memo Ex.P-18. As per recovery memo (Ex.P-18), the recovered '*Kandhala*' is stated to be measuring about 3 ½ feet long and the blade of the same is fitted on a thick wooden stick. A perusal of the sketch Ex.P-17 prepared at the spot in respect of blade of '*Kandhala*' shows that the same is about 8 inches in length and 1 ½ inch in width.
4. After conclusion of investigation, challan was presented against the accused in the Court of JMIC, Moga, which was committed to the Court of Sessions vide order dated 24.3.2007. The case was entrusted to the Court of Additional Sessions Judge, Moga, who framed charges for offence punishable under Section 302 IPC on 26.4.2007 to which the accused pleaded not guilty and claimed trial.
5. The prosecution in order to establish charges framed against the accused examined eight witnesses. PW-1 Nisha (complainant) stated in tune with her statement Ex.P-1, on the basis of which FIR was lodged. PW-2 Constable Baldev Singh tendered his affidavit Ex.P-2 in evidence wherein he deposed that on 6.11.2006, MHC Puran Singh handed over parcel containing blood stained soil, mattress, Khes etc. directing him to deposit the same in office of

FSL, Chandigarh which he deposited on 7.11.2006 and handed over receipt to MHC Puran Singh. He further deposed that as long as the case property remained in his possession, the same was not tampered with. PW-3 Dr. Vijay Kumar Goel, Medical Officer, Civil Hospital, Moga, who had conducted post-mortem examination on the dead body of Manna proved the post-mortem report as Ex.P-3. He further opined that the cause of death was injury to vital organ brain, which was sufficient to cause death in ordinary course of nature. PW-4 Rajesh Grover, Draftsman proved the scaled site plan of place of occurrence prepared by him as Ex.P-7. PW-5 Head Constable Tara Singh is a formal official witness.

- 6 PW-6 Sub Inspector Manjit Singh, who is the Investigating Officer in the present case, stated in detail in respect of the entire investigation conducted in the case right from recording statement (Ex.P-1) of complainant upto filing of challan. PW-7 Head Constable Charanjit Singh stated regarding arrest of accused Gurdeep Nath on 3.11.2006 and as regards the disclosure statement made by accused on 5.11.2006 and recovery of '*Kandhala*' pursuant to said disclosure statement. PW-8 Head Constable Puran Singh tendered his affidavit in evidence as Ex.P-20 wherein he deposed that he had remained posted as MHC at Police Station, Dharamkot, Moga, and that case property was deposited with him. He further stated that case property was handed over to Constable Baldev Singh on 6.11.2006 for depositing the same in the office of FSL, Chandigarh.
7. After closure of evidence of the prosecution, entire incriminating evidence appearing against the accused was put to him to enable him to explain the same. The accused, however, denied the prosecution allegations in toto and

pleaded innocence. He pleaded *alibi* while stating that a day earlier to occurrence, he had gone to village Daule Wala to see his sister and that he had received a message on the next day in the earlier hours of the day regarding death of his wife. He further stated that upon receipt of said message, he went to Village Dharamkot, where he came to know that on the previous night, his wife had seen a person running while coming out of her hut and taking him to be a thief she had chased him but the said person caused injuries to her with a sharp edged weapon as a result of which she died.

8. The accused in his defence examined DW-1 Avtar Singh, DW-2 Pappu, DW-3 Sanjiv Kumar and DW-4 Amarjit.
9. The learned trial Court, upon appreciating the evidence on record, held that the prosecution had successfully established charges framed against the accused and accordingly convicted the accused for offence under Section 302 IPC vide impugned judgment dated 7.11.2009. Aggrieved by his conviction, the appellant filed the present appeal.
10. The learned counsel for the appellant while assailing the impugned judgment submitted that he has been falsely implicated and that the falsity of the case would be evident from the fact that FIR had been lodged belatedly after consultations. The learned counsel for the appellant submitted that while the occurrence is alleged to have taken place at about 2 A.M. on 1.11.2009, the statement Ex.P1 of the complainant was recorded at about 11 A.M. i.e. after a delay of 9 hours. The learned counsel for the appellant further submitted that the presence of the complainant at the spot is highly doubtful and that in fact the entire case of prosecution stands demolished on account of the fact that Avtar Singh, who, as per FIR had accompanied the complainant Nisha to the

matrimonial home of the deceased, stated in unambiguous terms that the news regarding death of Manna was received by the complainant Nisha at village Fatehgarh Panjtoor i.e. where Nisha was residing.

11. The learned counsel for the appellant further submitted that the complainant PW-1 Nisha, while in the witness box has made several improvements and has also tried to set up a new case regarding harassment on account of demand of dowry in an apparent attempt to ensure that the accused gets convicted, which shows that the entire case is false. The learned counsel while referring to the testimony of DW-2 Pappu pressed upon the plea of *alibi* raised by the accused to the effect that he was not present in the village at the time of occurrence. The learned counsel for the appellant thus submitted that the impugned judgment cannot sustain and prayed for acquittal of the accused.
12. On the other hand, the learned counsel representing the State submitted that the case of prosecution is fully established from the testimony of PW-1 Nisha and that DW-1 Avtar Singh had apparently been won over by the accused and has tried to cause a dent in the case of prosecution though his statement does not inspire confidence at all. The learned State counsel submitted that statement of the complainant coupled with the disclosure statement of the accused leading to recovery of blood stained '*Kandhala*' leaves no room to doubt that it is the accused who had murdered his wife Manna. The learned State Counsel, thus, prayed for dismissal of the appeal.
13. We have considered the rival submissions addressed before this Court and with able assistance of learned counsel have also perused relevant referred record of the case.

14. Before weighing the contentions put forth on behalf of the learned counsel for the appellant, it would be apposite to refer to medical evidence led by the prosecution. The prosecution has examined PW-3 Dr. Vijay Kumar Goel, who stated that on 1.11.2006, he had conducted post-mortem examination on the dead body of Manna and had found the following injuries on the dead body :-

- 1) Lacerated wound 5 x 2 cm on right of pinna above external auditory meatus extending to skin back side of right pinna. Clotted blood was present. Underlying bone was fractured.
- 2) Diffuse swelling was present on right side of face.
- 3) Abraded contusion red in colour on front of left side of chest 10 cm below the left nipple.
- 4) Contusion red in colour 2 x 1 cm on later aspect of left upper arm at its middle.
- 5) Abrasion red in colour 1 x 1 cm was present 2 cm below injury No.4.
- 6) Abraided contusion red in colour 4 x 1 cm on posterior lateral aspect of left forearm at its middle.
- 7) Abraided contusion red in colour 4 x 0.5 cm on left leg at its upper part.

On dissection of skull, injury No.1 was detected as fractured of right temporal bone and right parietal bone. Sub Arachnoid haemorrhage was present on right side and brain contusion was present in right parietal area and blood was present in cranial cavity.

15. PW-3 proved the post-mortem report as Ex.P3. He opined that the cause of death was injury to vital organ brain, which was sufficient to cause death in ordinary course of nature. The witness was briefly cross-examined on behalf of the accused but nothing substantial could be elicited during cross-examination so as to doubt the veracity or opinion of the doctor. In these

circumstances, we have no hesitation in affirming the findings of the Trial Court to the effect that it is a case of homicidal death wherein the deceased had sustained multiple injuries on her body and the injury on her head proved fatal.

16. The learned counsel for the appellant assailed the case of prosecution while submitting that falsity of the case is established on account of delay in lodging the FIR. As per case of prosecution, the occurrence had taken place on 1.11.2006 at 2 AM. The statement of complainant came to be recorded by 11 A.M. i.e. after about 9 hours of occurrence. It is the case of prosecution that the complainant had gone to the matrimonial village of her daughter on 31.10.2006, upon receiving information that there had been a quarrel between her daughter and her husband. The complainant in the FIR stated that after the occurrence, she waited for her relatives and it was after her husband and other relatives reached there that she proceeded to lodge FIR. Such like conduct can hardly be said to be unnatural as the complainant being a lady might have chosen to wait for her husband and relatives before taking any further step. In any case, the factum of delay, if any, in lodging the FIR has to be weighed and examined in light of other circumstances on record. Delay *ipso facto* cannot be said to be fatal to the case of prosecution.
18. The learned counsel for the appellant has next submitted that the complainant, while in the witness box, has tried to introduce a case of maltreatment of her daughter by her husband, mother-in-law and her 'Deor'(brother-in-law) on account of demand of dowry which is clearly indicative of the fact that the complainant is not a truthful witness and that the accused has been falsely implicated.

19. We have considered the aforesaid submission. It is no doubt correct that the complainant in the FIR has not made any allegation in respect of maltreatment on account of dowry and the allegations are confined only to the beatings by accused to the deceased on account of the fact that he had suspicion as regards her character. It is well settled that the FIR is in the nature of just an intimation to the police to set the machinery of law in motion. Such intimation need not be encyclopaedic. In any case, the FIR and as well as the statement made by the complainant in the Court are absolutely consistent as regards the version that the accused was suspecting that the deceased was having some illicit relations due to which he used to maltreat her and that on the day of occurrence he had given blows of '*Kandhala*' including a blow on the head of the deceased resulting in her death. Despite lengthy cross-examination, the said witness could not be dislodged on the said material aspects of the case.
20. The learned counsel for the appellant has referred to the testimony of DW-1 Avtar Singh to contend that Avtar Singh, being an eye-witness whose name is specifically mentioned in the FIR itself has stated absolutely in contradiction to the statement of PW-1 Nisha and has categorically stated that Nisha had received intimation regarding death of her daughter while Nisha was in her village. He has thus submitted that the entire case of prosecution falls on the ground and the statement of PW-1 Nisha cannot be relied upon.
21. We have considered the aforesaid submission. A closer scrutiny of statement of DW-1 Avtar Singh shows that apparently, it is he who has resiled from his earlier version. He stated that he as well as PW-1 Nisha were not present at the time of occurrence and that Nisha had received information regarding death of her daughter while she was in her village Fatehgarh Panjtoor. However, the

manner in which DW-1 Avtar Singh has explained the details of a thief having come to the cottage of the deceased and the deceased having chased her and having caught hold of him and the said thief being armed with weapon and having caused injuries to the deceased, as if he had witnessed the said incident, shows that he has made an all out effort to save the accused rather than stating the truth.

22 DW-1 Avtar Singh has further gone to the extent of stating that Gurdeep Nath was not present at his home, as he had gone to visit his relative at Daule Wala. The version of DW-1 Avtar Singh is further proved to be false on account of the fact that he has denied having affixed his thumb impression on any memo whereas the recovery memo Ex.P12 pertaining to taking into possession blood stained soil, mattress, khes by the police bears his thumb impression along with signatures of ASI Paramjit Singh and Sub-Inspector Manjit Singh. In these circumstances, the statement of DW-1 cannot be relied upon as he is a witness who has apparently resiled from his statement and has not come out with a truthful version.

23. The case of prosecution also finds corroborated from the factum of recovery of blood stained '*kandhala*' at the instance of accused. During interrogation, the accused suffered a disclosure statement (Ex.P-16) to the effect that he had concealed '*Kandhala*' on Dharamkot–Moga road under bushes near a '*kikar*' tree and that he knew about the same and could get the same recovered. Pursuant to the said disclosure statement, the accused led the police party to the disclosed place and got an iron '*Kandhala*' recovered which was taken into possession vide recovery memo Ex.P-18.

24 The learned counsel for the accused has however assailed the factum of

disclosure statement Ex.P-16 on the ground that no independent witness was associated at the time of recording the said statement and that even though at the time of recovery of '*Kandhala*' one Paramjit Singh is shown to have been associated but he has not been examined.

25. We have considered the aforesaid submission. It is correct that no independent witness was associated at the time when disclosure statement Ex.P16 was recorded and that Paramjit Singh who was associated at the time of recovery of '*Kandhala*' has not been examined by the prosecution. The prosecution has however examined both the official witnesses i.e. PW-1 Head Constable Charanjit Singh and PW-6 Sub Inspector Manjit Singh who have both stated consistently as regards the factum of accused having made disclosure statement Ex.P-16 and having led the police party at the disclosed place and get the '*Kandhala*' recovered. The said '*Kandhala*' was sent for chemical examination to FSL, Punjab Chandigarh and as per report of FSL Ex.P21, the '*Kandhala*' was found to be blood stained.
- 26 There is no mandate of law that the disclosure statement has to be made in the presence of an independent witnesses so as to be admissible in evidence. Rather custodial interrogation of an accused is normally never done in public. The disclosure statement and the recovery effected in pursuance thereof stands more than amply proved from the consistent testimonies of PW-1 Head Constable Charanjit Singh and PW-6 Sub Inspector Manjit Singh. The said police officials had done so in discharge of their official duties and had no enmity with accused so to falsely implicate him. As such, the contention of the learned counsel that no independent witness was associated at the time of recording disclosure statement does not carry any weight and is rejected.

27. As regards the plea of *alibi* raised by the accused, the learned counsel for the accused has referred to the statement of DW-2 Pappu who has stated that he knows Gurdeep Nath and that his hut is situated at 5-6 karams away from the hut of the accused and that one day prior to occurrence, Gurdeep Nath had gone to Village Daule Wala to meet his sister and that the occurrence had taken place in the midnight and he had sent a message at village Daule Wala and Gurdeep Nath had come in the morning. Apart from the aforesaid oral statement, there is no evidence to substantiate the plea of *alibi*. In any case, the witness i.e. DW-2 Pappu is a resident of the same village and it is not the case that he himself belongs to village Daule Wala and had met or seen the accused in village Daule Wala on the day of occurrence so as to discount his presence in village Dharamkot at the time of incident. In any case village Daule Wala is admittedly at a distance of 8-10 miles away from Dharamkot, as has been stated by DW-2 Pappu himself and as such, it can not be said that accused was so far away at the relevant time that he could not possibly be present at the place where the crime was committed.

28. Hon'ble Supreme Court laid down the basic principles governing alibi in Binay Kumar Singh v. State of Bihar, 1997(1) R.C.R.(Criminal) 178. The relevant extract reads as follows:

“23.It is a basic law that in a criminal case, in which the accused is alleged to have inflicted physical injury to another person, the burden is on the prosecution to prove that the accused was present at the scene and has participated in the crime. The burden would not be lessened by the mere fact that the accused has adopted the defence of alibi. The plea of the accused in such cases need be considered only when the burden has been discharged by the prosecution satisfactorily. But once the prosecution succeeds in discharging the burden it is incumbent on the accused, who adopts the plea of alibi, to

prove it with absolute certainty so as to exclude the possibility of his presence at the place of occurrence. When the presence of the accused at the scene of occurrence has been established satisfactorily by the prosecution through reliable evidence, normally the court would be slow to believe any counter-evidence to the effect that he was elsewhere when the occurrence happened. But if the evidence adduced by the accused is of such a quality and of such a standard that the court may entertain some reasonable doubt regarding his presence at the scene when the occurrence took place, the accused would, no doubt, be entitled to the benefit of that reasonable doubt. For that purpose, it would be a sound proposition to be laid down that, in such circumstances, the burden on the accused is rather heavy. It follows, therefore, that strict proof is required for establishing the plea of alibi.”

29. Hon'ble the Supreme Court, while relying upon Binay Kumar Singh's case (supra), held in (2015) 4 SCC 749, Vijay Pal vs. State(Govt. Of NCT of Delhi) , that the plea can succeed only if it is shown that the accused was so far away at the relevant time that he could not be present at the place where the crime was committed.
30. In the present case, the evidence led by the accused to prove his plea of alibi is rather sketchy and does not exclude with absolute certainty the possibility of his presence at the place of occurrence. The evidence adduced by the accused is not of such a kind to create a doubt in the case of prosecution. It has not been established by convincing evidence that presence of accused at scene of the offence was a physical impossibility by reason of his presence at another place.
31. In view of discussion above especially in light of ratio of above cited judgments, the plea of alibi raised on behalf of appellant cannot be accepted simply on the basis of an oral statement by a witness.
32. The accused has also examined DW-3 Sanjiv Kumar and DW-4 Amarjit to

assail the statement made by PW-1 Nisha during cross-examination wherein she stated that after the occurrence, she had called her husband by making a telephone call from a nearby '*karyana*'(grocery) shop. While PW-3 Sanjiv Kumar has stated that he is running a karyana Shop at Dharamkot and that no telephone connection or STD facility is installed at his shop, DW-4 Amarjit Singh has stated that he knows mother-in-law of Gurdeep Nath and that nobody came to his shop to use the STD facility to call anybody about the occurrence. DW-4 however stated that apart from his shop there are two other adjoining shops. As such, apart from shop of DW-3 and DW-4, there is one more shop in the locality. The said shop-owner has not been examined. In these circumstance, it cannot be said that PW-1 Nisha could not possibly have made any telephone call to her husband after the occurrence.

- 33 In any case, the death had occurred in the matrimonial home of the deceased. In these circumstances, a burden lay heavy on the accused to explain as to under what circumstances the deceased had died an unnatural death in his house. In this context a reference may be made to provisions of section 106 of Indian Evidence Act 1872. Section 106 is in the nature of an exception to general rule enshrined in section 101 of Indian Evidence Act, which mandates that the burden of proof lies on the person who asserts the existence of such fact. Section 106 in The Indian Evidence Act, 1872 reads as follows :-

106. Burden of proving fact especially within knowledge.-

When any fact is especially within the knowledge of any person, the burden of proving that fact is upon him.

34. In a judgment reported as (2012) 1 SCC 10 Prithipal Singh v. State of Punjab, the Hon'ble Apex Court has held that if a fact is especially in the knowledge of

any person, then burden of proving that fact is upon him and that it would be impossible for the prosecution to prove certain facts particularly within the knowledge of the accused. It was further held therein that Section 106 is not intended to relieve the prosecution of its burden to prove the guilt of the accused beyond reasonable doubt, but the section would apply to cases where the prosecution has succeeded in proving facts from which a reasonable inference can be drawn regarding existence of certain other facts, unless the accused by virtue of his special knowledge regarding such facts, offers any explanation which might drive the court to draw a different inference. Thus it was held that section 106 of the Evidence Act is designed to meet certain exceptional cases, in which, it would be impossible for the prosecution to establish certain facts which are particularly within the knowledge of the accused.

35. The Hon'ble Apex Court, in another judgment reported as (2009) 6 SCC 61 Narendra v. State of Karnataka, where a woman was done to death in the bedroom of the matrimonial home and the accused raised a plea of alibi that he had gone to another place for purchase of milk and was therefore not involved with the crime, upheld conviction of accused wherein the plea of alibi was rejected, while resorting to provisions of section 106 of Indian Evidence Act.
36. The Hon'ble Apex Court, in a case reported as (2016) 12 SCC 665 Harijan Bhala Teja v. State of Gujarat in somewhat identical circumstances where the dead-body had been found in the house of the accused affirmed the judgment of the High Court reversing acquittal of accused. The relevant extract from cited judgment is reproduced below for the sake of ready reference:

“ Section 106 of the Evidence Act, 1872 provides that when any fact is special within the knowledge of any person, the burden of proving that fact is upon him. Since it is proved on the record that it was only the appellant who was staying with his wife at the time of her death, it is for him to show as to in what manner she died, particularly when the prosecution has successfully proved that she died homicidal death. ”

37. The accused having failed to explain the circumstances under which his wife died in her matrimonial home though a burden lay on him in terms of provisions of section 106 of Evidence Act is a fact to be borne in mind which points towards complicity of the accused.
38. We find that the testimony of PW-1 Nisha could not be assailed on any material aspect of the case. She categorically stated that on the day of occurrence, she had gone to matrimonial home of her daughter to sort out quarrel between her daughter and husband and that after she had reasoned out with them, her daughter and her husband slept inside the hut while she along with Avtar Singh slept outside the hut. She specifically stated that he and Avtar Singh woke up during night hearing shrieks of her daughter and she saw that Gurdeep Nath gave blows with '*Kandhala*' to her daughter including a blow on her head as a result of which, she died at the spot. Though the accused raised a plea of *alibi* but has been unable to establish the same.
- 39 As a sequel to the discussion made above, we do not find any infirmity in the findings of the conviction as recorded by learned Trial Court. There is no merit in the appeal and the same is hereby dismissed.

40. Before parting with the judgment, we wish to record that more often than not the Trial Courts do not give clear description of the weapons of offence especially where such weapons happen to be some agricultural implements or some other household implements. No doubt, the Investigating Officers prepare a sketch of the recovered weapon, but sometimes even the sketch does not give a clear picture of the weapon. Since all the police stations have the facility of photography, therefore, we recommend that all the Investigating Officers, apart from making a sketch of the recovered weapons shall also take photographs of the same which can give a better picture of the weapon used. Such exercise would be all the more helpful for the reason that the agricultural/household implements are known by different names in different areas in the States of Punjab and Haryana and sometimes the names vary from District to District. Some of the names one comes across include *Gandasa*, *Gandasi*, *Takua*, *Kirch*, *Tangli*, *Phaura*, *Salang*, *Kandhala* etc.
41. We would suggest that the implements/weapons must be described clearly by the Trial Courts in the judgments, e.g., a '*Datar*' can be described as an agriculture implement used for harvesting crops having a short handle with a semi-circular blade with its size mentioned. As many cases go up to higher Courts, such detailed description would be beneficial and give clear picture of weapons of offence, the names of which, sometimes, are native to a particular area only.
42. A copy of this judgment be sent to the Director General of Police, Punjab, Director General of Police, Haryana, Director General of Police, U.T. Chandigarh as well as to all the Judicial Officers working in the States of

Punjab, Haryana and U.T. Chandigarh with special attention to para Nos. 40 and 41.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

November 08, 2017
kamal

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