

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

CRA-S-2323-SB-2007 (O&M)

Date of pronouncement: 28.09.2022

Balbir Singh @ Bhira and others

...Appellants

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Deepender Singh, Advocate for the appellants.

Mr. Vijesh Sharma, Addl. AG Haryana.

Mr. Sandeep Kumar, Advocate for
Mr. Vikaram Singh, Advocate for the complainant.

H.S. MADAAN, J.

1. Appellants-accused Balbir Singh @ Bhira, Amandeep Singh @ Dimple, Ramandeep Singh @ Kalu, Manjeet Singh @ Sonu and Narotam Singh were booked in a case bearing FIR No.154 dated 23.05.2005, for offences under Sections 307, 325, 324, 323, 148, 149 and 506 IPC, registered with Police Station Safidon, Jind, they faced trial by Sessions Judge, Jind who vide judgment dated 05.11.2007, convicted them for offences under Sections 148, 307 read with Section 149 and 506 IPC and in terms of the order passed on 12.11.2007, they were sentenced to undergo rigorous imprisonment for a period of 05 years each and to pay a fine of Rs.5000/- each; in default of payment of fine, to undergo further RI for five months under Section 307 read with Section

149 IPC; they were further sentenced to undergo rigorous imprisonment for a period of 02 years each and to pay a fine of Rs.2000/- each; in default of payment of fine, to further undergo RI for two months under Section 148 IPC and under Section 506 IPC, they were sentenced to undergo rigorous imprisonment for a period of 02 years each and to pay a fine of Rs.2000/- each; in default of payment of fine, to further undergo RI for two months. All the sentences were ordered to run concurrently.

2. Briefly stated facts of the case, as per prosecution story are that on 22.05.2005 at about 6.00 pm, when complainant Gurbinder Singh was coming out of his 'bara' i.e. a place meant for tethering cattle, then all the five accused mentioned above came there; Narotam Singh raised a lalkara (exhortation) that the complainant be taught a lesson for not allowing passage from his land for going to their land by the accused; hearing that Balbir Singh @ Bhira gave a kirpan blow to the complainant, hitting him on the forehead; Narotam Singh gave two gandasi blows, hitting the complainant on left side of forehead and near his left eye respectively; Manjeet Singh @ Sonu had caused a gandasi blow on forehead of the complainant; Balbir Singh @ Bhira gave a further blow with his kirpan on left hand of the complainant; accused Ramandeep Singh @ Kalu hurled a brick bat on the complainant, causing him injury on his left arm, whereas, accused Amandeep Singh @ Dimple had also hit the complainant on his right shoulder with a brick bat; on an alarm being raised by the complainant/injured Gurbinder Singh and eye witness Smt. Kulwant Kaur, the accused ran away from the spot along with their

respective weapons, giving threats that on that day, the complainant had been saved but would be done to death on getting an opportunity in future.

The complainant/injured was taken to Civil Hospital, Safidon by one Roop Singh, where he was medically treated and medico-legally examined; on a written intimation having been sent from General Hospital, Safidon to Police Station Safidon, Jind regarding admission of complainant/injured Gurbinder Singh in the hospital, ASI Satpal Singh from the police station went to the hospital and moved an application Ex.PN enquiring about the fitness of injured to make statement, however, the attending doctor declared the injured unfit to make statement, therefore, statement of Gurbinder Singh could not be recorded on that day i.e. 22.05.2005.

On the next day i.e. 23.05.2005, ASI Satpal Singh again went to General Hospital, Safidon and moved a similar application seeking opinion of the attending doctor as to whether the injured Gurbinder Singh was fit to make statement, however, this time Dr. Rajesh Garg, who was attending to the injured vide his endorsement Ex.PN/2 opined that such injured was fit to make statement; thereafter, ASI Satpal Singh recorded statement of complainant/injured as Ex.PA; he put his endorsement Ex.PA/2 below such statement and sent ruqa to the police station, where formal FIR Ex.PA/1 was recorded.

Complainant/injured Gurbinder Singh was medically treated at General Hospital, Safidon; he was subjected to medico-legal

examination also and as per report prepared Ex.PS, seven injuries were found on his person by Dr. Rajesh Garg, Medical Officer, General Hospital, Safidon; on 23.05.2005, Dr. Dhan Kumar, who had radiological examined the injured, had found fracture of skull bone as well as fracture of ulna on left side.

After registration of the FIR, the investigation in the case started; on 24.05.2005, on an application Ex.PO moved by the police, the attending doctor had declared injuries No.1 to 3 on the person of complainant/injured to be collectively dangerous to life, therefore, Section 307 IPC was added; accused Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu who had surrendered in the Court, were arrested in this case on 31.05.2005.

The accused were interrogated, during the course of which, accused Narotam Singh suffered a disclosure statement Ex.PJ and in pursuance thereof, he got gandasi (Ex.P3) recovered from the disclosed place; similarly accused Balbir Singh @ Bhira had suffered a disclosure statement Ex.PK and resultantly got recovered a sword (Ex.P2) from the disclosed place; similarly accused Manjeet Singh @ Sonu had also made statement under Section 27 of the Indian Evidence Act Ex.PL before the police and got recovered a gandasi Ex.P1 from the disclosed place; during investigation, ASI Satpal Singh took the case property from MHC on 15.06.2005 and produced the same before Medical Officer, who opened the parcels of the weapons got recovered from the possession of the accused; after opening of the sealed parcels, the doctor after seeing

such weapons gave his opinion that injuries No.1 to 5 on the person of Gurbinder Singh could be caused with those weapons which had been shown to him and had been earlier recovered from the accused; such opinion of the doctor being Ex.PR; thereafter, the weapons were again converted into sealed parcels, which were taken away by ASI Satpal Singh, depositing the same with MHC of the police station.

Accused Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu were arrested in this case on 17.06.2005. The recovered weapons had been sent to Forensic Science Laboratory, Madhuban, Haryana and report there from was received as Ex.PG.

3. On completion of investigation and other formalities, challan against the accused was prepared and filed in the Court of SDJM, Jind. Learned Magistrate supplied copies of documents relied upon therein to the accused free of costs as provided under Section 207 Cr.P.C., and then finding that offence under Section 307 IPC was exclusively triable by the Court of Sessions, vide his detailed commitment order dated 10.08.2005, committed the case to the Court of Sessions.

Finding a prima facie case, charge for offences under Sections 148, 307 read with Section 149 and 506 IPC was framed against the accused, to which they pleaded not guilty and claimed trial.

4. During the course of prosecution evidence, prosecution examined the following witnesses:-

PW-1 Gurbinder Singh-injured/complainant and his mother
PW-2 Kulwant Kaur provided the eye witness account of the incident,

supporting the prosecution story on material aspects.

PW-3 SI/SHO Raghbir Singh stated that on 28.07.2005, when the investigation was over, then he had prepared challan under Section 173 Cr.P.C., for filing it in the Court.

PW-4 HC Satpal Singh testified with regard to his recording formal FIR Ex.PA/1 on receipt of ruqa. He further proved his affidavit Ex.PB regarding safe custody of the case property deposited with him in the Malkhana of the police station.

PW-5 EHC Balwan Singh submitted his affidavit Ex.PC.

PW-6 HC Vinod Kumar, a formal witness had furnished his affidavit Ex.PD regarding safe custody of the case property and handing over the same to EHC Balwan Singh on 29.06.2005 for deposit with FSL, Haryana.

PW-7 ASI Satya Narain, who had carried out the investigation in this case partly, deposed in that regard, stating that he had arrested accused Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu on 17.06.2005 during his posting at Police Station Safidon.

PW-8 Contable Dilbagh Singh, Draughtsman, stated that he had prepared scaled site plan Ex.PE after visiting the spot, on demarcation of complainant Gurbinder Singh.

PW-9 ASI Ved Parkash stated that on 19.07.2005, he had taken in possession bed head ticket of injured Gurbinder Singh from CHC Safidon and on 27.07.2005, he had recorded statement of Constable Dilbag Singh.

PW-10 Smt. Asha Rani, Record Keeper, had brought the original bead head ticket of injured Gurbinder Singh, proving its photocopy as Ex.PF.

PW-11 Dr. Dhan Kumar, stated that on 23.05.2005, he had radiologically examined Gurbinder Singh and found fracture of skull bone as also fracture of ulna (left side). He proved his report in that regard as Ex.PH and X-ray films as Ex.PH/1 to PH/5

PW-12 ASI Lehna Singh, the Investigating Officer of this case in part deposed with regard to investigation conducted by him.

PW-13 ASI Satpal Singh, the initial IO of this case deposed in that regard, proving various documents.

PW-14 Dr. Rajesh Garg, provided the medical evidence and proved various documents.

The State counsel after tendering in evidence report from FSL, Madhuban, Haryana as Ex.PG, closed its evidence.

5. Statements of the accused were recorded under Section 313 Cr.P.C., in which all the incriminating circumstances appearing in prosecution evidence against the accused were put to them but they denied the allegations contending that they were innocent and had been falsely involved in this case. They pleaded that they were innocent and had not committed any offence. The complainant party had caused injuries on the persons of the accused party and for that reason Pritam Singh, father of accused Sonu and Kalu had instituted a criminal complaint against the complainant party. The complainant party was the

supporters of Sh. Bachan Singh Arya, who was MLA from Safidon Constituency. The complainant party through that MLA was pressing for compromise and on their refusal, with the intervention of MLA, they had procured false medicolegal reports and had instituted false proceedings against the accused.

6. During their defence evidence, the accused examined Dinesh Kumar, Addl. Ahlmad in the Court of SDJM, Safidon as DW-1, who had brought the original file of Criminal Complaint bearing No.37/4 dated 13.07.2004 titled as 'Pritam Singh Vs. Gurbinder Singh and others' under Sections 323, 324, 325, 307, 506 and 34 IPC, pending in the Court at Safidon, fixed for pre-charge evidence. This witness proved certified copy of the complaint as Ex.D1.

The accused gave up another witness Lakhwinder Singh and then closed their evidence.

7. After hearing arguments, the trial Court convicted and sentenced the accused as mentioned supra.

8. Feeling aggrieved by the judgment of their conviction and order of sentence, the accused had filed an appeal before this Court, which was taken up on 23.11.2007 when it was Admitted for regular hearing and recovery of fine was stayed. On applications having been filed, the remaining sentence of the appellants was suspended during the pendency of the appeal, subject to their furnishing requisite bonds to the satisfaction of Chief Judicial Magistrate, Jind.

Now the appeal has come up for final hearing.

9. I have heard learned counsel for the appellants/accused, learned State counsel as well as learned counsel for the complainant besides going through the record.

10. In this case, the eye witness account of the incident was provided by PW-1 Gurbinder Singh, who had suffered injuries in the incident. The second eye witness of the incident happened to be PW-2 Kulwant Kaur, who supported the case on material aspects. As per prosecution story, there were five assailants who had caused injuries to Gurbinder Singh. Those were Balbir Singh @ Bhira armed with a kirpan, Manjeet Singh @ Sonu and Narotam Singh @ Sonu armed with gandasies, whereas Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu are stated to have inflicted injuries to Gurbinder Singh with brick bats. It needs to be mentioned here that Balbir Singh @ Bhira, Manjeet Singh @ Sonu and Narotam Singh @ Sonu after their arrest in this case are said to have suffered disclosure statements and then in pursuance thereof, had got the weapons used in the incident recovered from their possession, which were seized by the Investigating Officer.

The doctor namely Mr. Rajesh Garg, Medical Officer, who had medico-legally examined Gurbinder Singh preparing his MLR had observed inasmuch as seven injuries on the person of such injured, which are as under:-

1. An incised wound of size 3 cm x 0.5 cm present over centre of frontal bone on forehead deep to bone. The margins were regular. Fresh bleeding was present. X-ray of skull and

Ortho Surgeon's opinion were advised.

2. An incised wound of size 4 cm x 0.5 cm present over the left parietal bone, bone deep Margins were regular Fresh bleeding was present. X-ray of skull and Ortho Surgeon's opinion were advised.
3. An incised wound of 5 cm x 1 cm was present on the left parietal bone on the medial side of injury No. 2. It was bone deep. Bleeding was present. X-ray of skull and Ortho Surgeon's opinion were advised.
4. An incised wound of size 1 cm x 0.5 cm over the left side of face on lateral side of eye. Fresh bleeding was present. X-ray of skull and Ortho Surgeon's opinion were advised.
5. A "V" shape incised injury of size 7 cm x 1 cm present between the web of little finger and ring finger of left hand. Fresh bleeding was present. X-ray of left hand was advised.
6. Abrasion was present on left side of the back.
7. A diffused swelling was present over left forearm. Tenderness was present. X-ray was advised.

In that way, the medical evidence is supportive of the ocular evidence.

11. However, there are certain factors which need to be taken into consideration while determining a criminal liability of the accused.

The first and foremost thing to be seen is that there is a delay of 18 hours

in lodging the report regarding the incident with the police. In case of commission of a criminal offence, prompt lodging of the report with the police is desirable since that provides the spontaneous and blemish free version of the incident. With passage of time, the element of truth in the narration gets diluted and chances of a coloured concocted version being introduced after due deliberations and consultations come out to be there. For that reason, delay in reporting the matter to the police is said to be fatal to a criminal case unless it is properly explained.

In the instant case, the incident is said to have taken place on 22.05.2005 at about 6.00 pm, whereas, FIR was lodged on 23.05.2005 on the basis of statement of Gurbinder Singh Ex.PA recorded by ASI Satpal at Civil Hospital Safidon at about 12.30 afternoon. Though the prosecution has tried to explain the delay by submitting that after the incident, Gurbinder Singh had been taken to hospital from where information was sent to Police Station Safidon and a police officer from that police station had come to the hospital along with copy of MLR of the injured. ASI Satpal had gone to the hospital on 22.05.2005 seeking opinion of the attending doctor with regard to fitness of the injured to make statement on which the doctor declared him unfit to do so, therefore, statement of Gurbinder Singh could not be recorded. He went there again on 23.05.2005, when he was accompanied by Constable Dilbagh Singh and moved a similar application on which the doctor declared the injured fit to make statement. Thereafter, he had recorded statement of Gurbinder Singh. As such, the delay stands adequately

explained and no adverse inference can be drawn against the prosecution for the said reason.

12. On the other hand, learned counsel for the appellants has contended that Gurbinder Singh was in his senses and could very much make statement when he was taken to the hospital on 22.05.2005 and a wrong medical opinion has been given just to enable the injured to think over the matter and concoct a version so as to implicate maximum number of the accused. Furthermore, there were other persons who are said to have seen the incident. They could have informed the police at the earliest but they did not do so. Therefore, a doubt arises in the mind about truthfulness of the prosecution story.

13. The second ground which has been pressed by learned counsel for the appellants was that two persons from the accused side namely Manjeet Singh and Balbir Singh had also suffered injuries which have not been explained by the prosecution. The accused side had filed a private complaint in the Court in that regard. Thus the prosecution had suppressed the origin of genesis of the incident and version of prosecution could not be accepted as such.

14. One more submission by learned counsel for the appellants was that the incident was not result of any pre-planning or pre-meditation on behalf of the accused, rather it took place at spur of the moment, therefore, it cannot be said that the accused formed an unlawful assembly committing rioting or that the injuries had been caused in prosecution of common object of the unlawful assembly. Therefore, conviction and

sentencing of accused with the help of Sections 148 and 149 IPC is not tenable.

15. Learned State counsel has controverted such submissions by learned counsel for the appellants, contending that participation of all the five accused in the incident stands adequately established and they were rightly convicted and sentenced by the trial Court.

16. After hearing the rival contentions, I find that involvement of Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu in the incident seems to be doubtful. As has been pointed out by learned counsel for the appellants, the brick bat said to have been hurled by them upon the complainant/injured had not been recovered by the IO from the spot. If such accused had in fact hurled the brick bat upon complainant/injured those should have been there at the spot and could have been picked up there from by the IO and then sent to the FSL to see as to whether they had any blood stain etc., or to show that they had in fact been used in the incident and then Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu could be connected with the incident, but that was not so done. In this part of the country, whenever such type of incidents take place, a tendency has been noticed that the complainant party tries to rope in as many persons as possible from the accused side by throwing the net wide. The intention in doing so is to put pressure on the accused side by involving old, infirm persons, women folk, government employees and young persons, who are yet to settle down in their careers. As far as involvement of other accused, namely Narotam Singh, Balbir Singh @

Bhira and Manjeet Singh @ Sonu is concerned, the same stands adequately established on record from the ocular evidence adduced, which finds corroboration with medical evidence supported by other oral as well as documentary evidence brought on file by the prosecution. As a matter of fact, Balbir Singh @ Bhira and Manjeet Singh @ Sonu claimed to have received injuries in the same incident, therefore, their participation in the incident is almost admitted.

It needs to be mentioned here that delay of 18 hours in reporting the matter to the police seems to have been used by the complainant/injured so as to implicate Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu after due deliberations and consultations.

17. Furthermore, after being arrested Balbir Singh @ Bhira, Narotam Singh and Manjeet Singh @ Sonu had suffered disclosure statements and got recovered sword and gandasis each from their respective possession, which had been seized by the police. Those weapons had been shown to Dr. Rajesh Garg, PW-14, who had given his opinion Ex.PR/1 that injuries on person of Gurbinder Singh could be caused by those weapons. Therefore, participation of Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu in the incident stands adequately established.

As regards injuries said to have been suffered by Balbir Singh @ Bhira and Manjeet Singh @ Sonu in the incident, as a result of the investigation carried out, the counter version set up was not found to be truthful and worthy of reliance by the police, as such, no action was

taken thereon. The trial Court has also considered such aspect in detail in para No.37 of the judgment, holding that it was a clear case of subsequent receiving of injuries by accused Balbir Singh @ Bhira and Manjeet Singh @ Sonu and there has been long unexplained gap between happening of the incident and medico-legal examination of accused Balbir Singh @ Bhira and Manjeet Singh @ Sonu , who were medico-legally examined on the next day of the incident at 1.30 PM and 2.00 PM respectively. Therefore, injuries on the person of accused Balbir Singh @ Bhira and Manjeet Singh @ Sonu could not be related to that assault and no benefit can be derived by the defence from non-explanation of these injuries on the person of accused by the prosecution for the reason that these injuries have not been proved to have been caused to the accused during this assault. I find myself in agreement with the trial Court on that aspect and it is held that non-explanation of injuries on the person of Balbir Singh @ Bhira and Manjeet Singh @ Sonu by the prosecution does not affect the credibility of the prosecution story.

With regard to submission made by learned counsel for the appellants that the incident was not result of any pre-planning or pre-mediation on behalf of the accused and rather it took place at spur of moment. The same belied by the facts and circumstances of the case and evidence adduced by the prosecution. It becomes abundantly clear that Balbir Singh @ Bhira, Manjeet Singh @ Sonu and Narotam Singh while armed with deadly weapons had together assaulted Gurbinder Singh causing multiple injuries to him, showing that they shared a common

intention for committing the assault and it cannot be said that the incident had happened at the spur of the moment without any planning or pre-meditation by the accused. Such submission is devoid of merit and is rejected.

18. Now the question arises that if the prosecution story has been found to be doubtful with regard to Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu, then it should be disbelieved with regard to remaining accused also. The answer has to be in negative. The *maxim falsus in uno falsus in omnibus* that is 'false in part false in whole' is not made applicable by the Courts in India. The endeavour of the Courts is to separate grain from the chaff i.e. truth from the falsehood. Therefore, on scanning of the evidence carefully, though, involvement of Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu comes out to be doubtful, however, it is not so as regards Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu accused. Merely because eye witnesses had named Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu also as assailants who had caused injuries to Gurbinder Singh which portion of their statements does not come out to be believable, does not mean that their depositions with regard to Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu are to be discarded which are otherwise found to be cogent and convincing.

19. From the medical evidence brought on file by the prosecution declaring the nature of injuries on the person of Gurbinder Singh to be dangerous and further keeping in view the fact that Gurbinder

Singh had suffered a fracture of skull bone as well as fracture on ulna left side as deposed by Dr. Dhan Kumar, PW-11, keeping in view the weapons used by the assailants in the incident, which are dangerous and other surrounding circumstances, it is established on record that Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu shared a common intention when on 22.05.2005 at 6.00 PM, Balbir Singh @ Bhira armed with a kirpan, Narotam Singh and Manjeet Singh @ Sonu armed with gandasies had attacked Gurbinder Singh causing multiple injuries to him including on vital parts. For that reason, all three of them are vicariously liable for injuries caused by each one of them to the complainant/injured. Under the circumstances, the conviction of accused for offence under Section 148 IPC cannot be sustained, since for making out offence of rioting armed with deadly weapons, constitution of an unlawful assembly is necessary and as per definition in terms of Section 148 IPC, unlawful assembly means an assembly of five or more persons. With three of the accused having been found to be criminally liable, offence of rioting armed with deadly weapons dealt with by Section 148 IPC is not made.

20. Similarly, Section 149 IPC provides that every member of unlawful assembly is guilty of offence committed in prosecution of common object. With no unlawful assembly being there, three of the accused cannot be convicted with aid of Section 149 IPC, though, their conviction can be done in terms of Section 34 IPC, which provides that when a criminal act is done by several persons in furtherance of the

common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone. Three of the accused namely Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu having come to the spot together armed with deadly weapons and attacking Gurbinder Singh simultaneously, goes to show that they shared a common intention for carrying out that attack.

21. As a result of above discussion, the appeal filed by Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu is accepted and the judgment of conviction and sentence passed against them by the trial Court is set aside. Resultantly, they are acquitted of the charge framed against them, whereas, the impugned judgment of conviction as regards Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu is maintained with a modification that Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu are convicted for offence under Section 307 read with Section 34 IPC instead of Section 307 read with Section 149 IPC. However, sentence awarded to them to undergo RI for a period of 05 years each and to pay a fine of Rs.5000/- each; in default of payment of fine, to further undergo RI for five months each under Section 307 IPC and under Section 506 IPC to undergo rigorous imprisonment for a period of 02 years each and to pay a fine of Rs.2000/- each; in default of payment of fine, to further undergo RI for two months is maintained. Their conviction and sentence for offence under Section 148 IPC is however set aside. Both the sentences are to run concurrently.

22. As per custody certificate filed, appellant Narotam Singh has

undergone total sentence of 02 years, 01 month and 10 days, Balbir Singh @ Bhira has undergone 01 year, 04 months and 20 days and Manjeet Singh @ Sonu has undergone 01 year, 04 month and 29 days. Keeping in view the facts and circumstances of the case, there is no ground to take any lenient view in the matter and reduce the sentence awarded to the appellants by the trial Court.

Accordingly, the appeal stands allowed qua appellants Amandeep Singh @ Dimple and Ramandeep Singh @ Kalu and is dismissed qua appellants Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu with modification detailed supra. The appeal is allowed partly.

23. Appellants/accused Narotam Singh, Balbir Singh @ Bhira and Manjeet Singh @ Sonu are directed to surrender before Chief Judicial Magistrate, Jind within a week from today, failing which learned CJM, would issue warrants of arrest to secure their presence and send them to jail to undergo the remaining sentence. Necessary intimation be sent to the Court concerned for information and compliance.

28.09.2022
sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No