

CRA-S-442-SB-2009 (O&M)
Reserved on: 02.06.2023
Date of Pronouncement: 07.06.2023

VS.

Under Section 307 IPC	Rigorous imprisonment for five years and to pay a fine of Rs.1000,-/. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.
Under Section 323/149 IPC	Rigorous imprisonment for six months and to pay a fine of Rs.500,-/. In default

	of payment of fine, he shall further undergo rigorous imprisonment for 15 days.
Under Section 148 IPC	Rigorous imprisonment for one year
Under Section 452 IPC	Rigorous imprisonment for two years and to pay a fine of Rs.500/-. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.

Appellant Dharminder Singh

Under Section 307/149 IPC	Rigorous imprisonment for five years and to pay a fine of Rs.1000/-. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.
Under Section 323/149 IPC	Rigorous imprisonment for six months and to pay a fine of Rs.500/-. In default of payment of fine, he shall further undergo rigorous imprisonment for 15 days.
Under Section 148 IPC	Rigorous imprisonment for one year
Under Section 452 IPC	Rigorous imprisonment for two years and to pay a fine of Rs.500/-. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.

Appellant Gurmail Singh

Under Section 307/149 IPC	Rigorous imprisonment for five years and to pay a fine of Rs.1000/-. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.
---------------------------	---

Under Section 323 IPC	Rigorous imprisonment for six months and to pay a fine of Rs.500,-/. In default of payment of fine, he shall further undergo rigorous imprisonment for 15 days.
Under Section 148 IPC	Rigorous imprisonment for one year
Under Section 452 IPC	Rigorous imprisonment for two years and to pay a fine of Rs.500,-/. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.

Appellant Harjinder Singh

Under Section 307/149 IPC	Rigorous imprisonment for five years and to pay a fine of Rs.1000,-/. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.
Under Section 323 IPC	Rigorous imprisonment for six months and to pay a fine of Rs.500,-/. In default of payment of fine, he shall further undergo rigorous imprisonment for 15 days.
Under Section 148 IPC	Rigorous imprisonment for one year
Under Section 452 IPC	Rigorous imprisonment for two years and to pay a fine of Rs.500,-/. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.

Appellant Buta Singh

Under Section 307/149 IPC	Rigorous imprisonment for five years and to pay a fine of Rs.1000,-/. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.
Under Section 323 IPC	Rigorous imprisonment for six months and to pay a fine of Rs.500,-/. In default of payment of fine, he shall further undergo rigorous imprisonment for 15 days.
Under Section 148 IPC	Rigorous imprisonment for one year
Under Section 452 IPC	Rigorous imprisonment for two years and to pay a fine of Rs.500,-/. In default of payment of fine, he shall further undergo rigorous imprisonment for one month.

2. The FIR in the instant case was got registered by Harinder Singh, injured, complainant by making a statement before the police to the effect that a katcha path was in existence for the last about 50 years in front of the house of Gurmail Singh, accused, which was leading up to the complainant’s house. At about 06:15 P.M on 28.11.2005, the complainant was present at his house and his cousin Lovepreet Singh came running there. Gurpreet Singh, accused armed with a *Kirch*, Gurmail Singh, accused armed with dattar, Buta Singh accused armed with a dang (stick) and Harjinder [Singh@Sony](#) armed with a baseball bat followed him and entered his house. Gurpreet Singh, accused gave a blow with *kirch* on the right flank of the Lovepreet Singh, with an intention to kill him. When Mohinder Kaur, mother of Lovepreet Singh, came forward to rescue

him, Gurmail Singh accused gave a dattar blow on her head from its reverse side. The complainant came forward and Butta Singh, accused gave a dang blow on his forehead. Soni, accused gave a baseball blow on his right arm. Lovepreet Singh, ran out from the back door after getting himself released from the clutches of the accused. Due to serious injuries suffered by him, Lovepreet Singh fell in their fields. They raised the noise to save them and on this Devinder Singh, brother of the complainant and Harinder Singh also came at the spot and on seeing them, the accused ran away from the spot. Since, *dattar* and *baseball* bat had broken, the same were left at the spot and the remaining weapons were taken away by the accused. The complainant along with Mohinder Kaur were admitted in the Civil Hospital, Dharamkot. Condition of Lovepreet Singh, injured was serious and he was referred from Civil Hospital, Moga to DMC & Hospital, Ludhiana. The motive behind the occurrence was that the accused wanted to close the passage leading to the house of the complainant. The statement of the complainant was recorded by ASI Jagdish Lal, who sent the ruqa to the police station and on the basis of the same, one formal FIR was registered against the accused.

3. After completion of the investigation, the challan was presented in the Court of learned Area Magistrate. Since the offence under Section 307 was exclusively triable by the Court of Sessions, the case was committed to the Court of Learned Sessions Judge and the charge under Sections 307, 323, 452, 148 and 149 IPC was framed against the accused, to which they pleaded their innocence and claimed trial.

4. In order to prove the charge against the appellants, the prosecution examined 13 witnesses namely, PW-1 Harinder Singh, PW-2 Lovepreet Singh,

PW-3 Dr. Rajesh Kumar Puri, PW-4 Gursewak Singh, PW-5 Dr. Bharat Gupta, PW-6 HC Rajinder Singh, PW-7 HC Gurpreet Singh, PW-8 ASI Balwinder Singh, PW-9 Parshotam Lal, PW-10 ASI Jagdish Singh, PW-11 Dr. Atul Mishra, PW-12 Dr. Ajay Kumar Jhanji and PW-13 Chaman Lal, SP (Head Quarter Kurukshetra).

5. After closure of the prosecution evidence, the statements of the accused were recorded under Section 313 Cr. PC. All the accused pleaded their false implication. To prove their defence, the accused also examined three defence witnesses namely, DW-1 Dr. Gurneet Singh , Aroro Nuero Centre, Ludhiana, DW-2 Dr. Avtar Singh, SMO and Dr. Jaswinder Singh, CHC Sadiq, District Faridkot.

6. At the very outset, learned counsel for the appellants submits that from a bare perusal of the testimonies of PW-5 Dr. Bharat Gupta, PW-11 Dr. Atul Mishra and PW-12 Dr. Ajay Kumar Jhanji, no offence under Section 307 IPC is made out against the present appellants. Learned counsel further contends that the matter has been amicably resolved between the parties and two criminal cases No. CRR-1119-2009 **(O&M)** and CRM-M-18437-2015 **(O&M)** have already been withdrawn by the complainant side from this Hon'ble Court. Even, learned counsel appearing on behalf of the respondent/complainant stated that he has no objection in case the offences are ordered to be compounded by this Court as the parties have amicably resolved all their disputes and they may be permitted to compound the offences and the appellants in the present appeal may be ordered to be acquitted.

7. To examine the above submissions, it would be appropriate to revert to the testimonies of PW-5 Dr. Bharat Gupta, PW-11 Dr. Atul Mishra and

PW-12 Dr. Ajay Kumar Jhanji. The prosecution examined PW-5 Dr. Bharat Gupta, who conducted the medico-legally examination of Lovepreet Singh, main injured. He was brought by his father Joginder Singh and the history disclosed was of alleged assault at 06:30 P.M. on 28.11.2005 at home, when the patient was attacked and he found the following injuries on the person of Lovepreet Singh:-

“3 cm x 05 cm transversely placed incised looking wound was present on upper mid abdomen nearly 13 cm from right nipple and 15 cm from left nipple. The nature of injury was to be ascertained at the time of examination.”

8. As per PW-5 Dr. Bharat Gupta, the probable duration was less than eight hours. The carbon copy of the MLR was exhibited as Ex.P4. Vide his report Ex. P6 forwarded to the police on 05.12.2005, he declared the nature of aforesaid injury on the person of Lovepreet Singh as dangerous to life. In cross-examination, he stated that he gave his opinion regarding the nature of injury only after going through the operational notes of the surgeon. He further stated that such operational notes were not available in the file on that day. The prosecution further examined PW-11 Dr. Atul Mishra, Assistant Professor, Department of Surgery, DMC & Hospital, Ludhiana, where Lovepreet Singh was admitted at 09:05 P.M on 28.11.2005. When he was admitted, he was having single injury. He stated that in case, the immediate operation was not done, the patient would have lost his life and he proved the operational notes as Ex. P-23. In his cross-examination, he admitted that after operation, the patient underwent X-Ray examination. He had gone through the X-ray report and the films. He further admitted that he gave his observations in the present case in

the patient's file before conducting operation. The prosecution further examined PW-12 Dr. Ajay Kumar Jhanji, who medico-legally examined Mohinder Kaur and Harinder Singh. On 28.11.2005, at about 09:30 P.M, he medico-legally examined Mohinder Kaur and found the following injuries on her person:-

“A superficial lacerated wound on the left side of head about 1 cm from the midline and 12 cm from anterior hair line. Fresh bleeding was present.”

On the same day, he medico-legally examined Harinder Singh and found the following injuries on his person:-

1. An abrasion 4cm to 1 cm obliquely placed on the right side of forehead. Swelling around the abrasion was present. Abrasion was placed 3 cm from below the anterior hair line and 3.5 cm from the mid line.

2. An abrasion 1 cm x ½ cm on the back of right forearm. Swelling 3 cm x 2 cm was present around it.

The injury suffered by both the abovesaid injured, were declared to be simple.

9. Before proceeding further to decide other issues, it would be appropriate to determine in the present case as to whether the offence under Section 307 IPC is proved against the appellants or not. To appreciate the said contention, it would be appropriate to reproduce Section 307 IPC, which reads as follows:-

“Whoever does any act with such intention or knowledge, and under such circumstances that, if he by that act caused death, he would be guilty of murder, shall be punishable with imprisonment of either description for a term which may extend to ten years, and

shall also be liable to fine; and, if hurt is caused to any person by such act, the offender shall be liable either to imprisonment for life, or to such punishment as to hereinbefore mentioned.”

10. A reading of Section 307 IPC, the following ingredients would be essential to make out an offence under Section 307 IPC - (i) That the accused did an act; (ii) that the act was done with intention or knowledge and under such circumstances to cause a bodily injury as the accused knew to be likely to cause death or that such bodily injury in the ordinary course of nature was sufficient to cause death, or that the accused attempted to cause such death by doing an act known to him to be so imminently dangerous that it must in all probability cause death or such bodily injury as is likely to cause death; and (iii) that the accused had no excuse for incurring the risk of causing such death or injury.

11. To prove the serious offence under Section 307 IPC, it has to be shown that the act committed by the accused falls short of death of the injured. Equally, the question, what injuries are dangerous to life, is apposite. Modi on Medical Jurisprudence and Toxicology, 24th Edition, page 559 has described the injury dangerous to life as follows:-

“Danger to life should be imminent before the injuries are extensive and implicate important structures or organs, so that they may prove fatal in the absence of surgical aid. For instance, a compound fracture of the skull, a wound of a large artery or rupture of some internal organs, such as the spleen, should be considered dangerous to life. But the injuries which prove fatal remotely by inter-current diseases, such as tetanus, erysipelas etc. should not be considered as dangerous.”

12. The primary contention raised on behalf of the learned counsel for

the appellants in the present case are that the provisions of Section 307 IPC are not attracted in the present case. Learned counsel for the appellants have extensively referred to the testimonies of PW-5 Dr. Bharat Gupta, PW-11 Dr. Atul Mishra and PW-12 Dr. Ajay Kumar Jhanji, to contend that in view of the medical opinion, it stood established on record that the ingredients of Section 307 IPC were completely missing in the instant case. I find considerable force in the submissions made by learned counsel for the appellants and it can be safely held that the offence under Section 307 IPC was not made out against the appellants in view of the following findings:-

(i) That from a bare perusal of the testimonies of both the injured i.e. PW-1 Harinder Singh and PW-2 Lovepreet Singh, it is apparent that the occurrence had taken place at the spur of the moment without any pre-meditation. Even the occurrence had taken place only with regard to a dispute on the passage, which connected the houses of both the parties.

(ii) In catena of judgments, the Hon'ble Supreme Court has laid down the test to determine the intention of the accused. The intention of the accused can be gathered from various circumstances like motive, words used by the accused at the time of commission of offence, weapons use, at which bodily part the injury was caused etc. In the present case, the present appellants were tried for the offence punishable under Section 307 IPC and it has been alleged that the accused had the intention to cause such bodily injuries, which were capable of causing the death and such act has fallen short of death. However, as per the prosecution case, it is apparent that all the accused were having such weapons of offence, which were easily available in villages of Punjab and were also used by the farmers as agricultural tools. Apart from that, it is apparent

from the testimony of PW-12 Dr.Ajay Kumar Jhanji, that Mohinder Kaur had suffered one injury, whereas another injured Harinder Singh had suffered only two abrasions. Even the injury suffered by Mohinder Kaur was a superficial lacerated wound. All the three injuries suffered by Mohinder Kaur and Harinder Singh were minor and simple injuries. Even Lovepreet Singh suffered one injury and there was no repetition of blows by the appellants. Apart from that, the requisite intention or the mens rea, so as to cause such injuries, which would attract Section 307 IPC were completely missing in the instant case.

(iii) It is apparent from the prosecution case, that the occurrence had taken place without any pre-meditation and the prosecution had led no evidence at all to prove on record the prior meeting of minds of the accused. Apart from that, it has been stated by the prosecution witnesses that the dispute between the parties arose with regard to dispute over a path, which was leading from the house of the complainant to the house of the accused. Apart from that, no other motive has been attributed to the present appellants. However, the motive in the present case was not so strong, as would have been incited the assailants to cause such bodily injuries, as would be sufficient to cause death in ordinary course of nature.

(iv) In the present case, PW-5 Dr. Bharat Gupta stated that vide his report Ex.P-6 he had declared the nature of injuries suffered by Lovepreet Singh as dangerous to life and he had given the opinion regarding the nature of injury only after going through the operational notes of the surgeon. The surgeon Dr. Atul Mishra was examined as PW-11, who clearly stated that in case the immediate operation was not done, the patient would have lost his life. Even the said observation was made by PW-11 Dr. Atul Mishra before conducting the

operation.

13. A plain reading of the abovesaid opinion rendered by PW-5 Dr. Bharat Gupta and PW-11 Dr. Atul Mishra in the instant case, would not be sufficient to attract the provisions of Section 307 IPC. The prosecution failed to prove on record that the injury inflicted on the victim was sufficient in ordinary course of nature to cause death and in the considered opinion of this Court, it would be unsafe to convict the appellants under Section 307 IPC, keeping in view the abovestated opinion rendered by PW-5 Dr. Bharat Gupta and PW-11 Dr. Atul Mishra. Even the opinion given by PW-11 Dr. Atul Mishra was liable to be disbelieved as he had given the opinion already even before conducting the operation. Thus, the findings of the learned Trial Court are erroneous and are liable to be side aside by this Court in view of the above referred reasons.

14. It has been held by this Court in the matter of “**Atul Vs. State of Haryana**”, 2015 (8) R.C.R. (Criminal) 113 as follows:-

*“23. If an injury inflicted on the victim is not sufficient in the ordinary course of nature to cause death, the provisions of Section 307 I.P.C. are not attracted in that case. In the instant case, the injuries with kitchen knife were caused on the neck, chest and abdomen. Statement of Dr. Viplav Mishra that injuries were dangerous and if timely medical aid had not been given to patient Sanjay, he would have died, is not sufficient to draw the inference that the injury was dangerous to life. In similar circumstance, in case of **Piara Singh v. State of Punjab 1996(2) RCR (Criminal) 371**, it was observed as follows:-*

"PW8 Dr. J.K. Sachdeva, after describing two injuries noticed by him on the person of Mukhtiar Singh clearly stated in his examination-in-chief itself that injury No.2, which admittedly was the only injury which was serious in nature could be dangerous to

*life and could cause death of the injured in the ordinary course of nature if treatment was not given to him. Injury No.2 has been attributed to Piara Singh and the other injury which is simple in nature, has been attributed to Gulzar Singh appellant. In **Tej Ram v. State of Punjab, 1978 CLR P&H 76** it was held that, "the injury in question had ruptured the lung of the victim and was described by the examining doctor as dangerous to life and if not treated, i.e., to say that but for timely and medical aid the injured was likely to die. This is certainly not the type of the injury as would attract the provisions of Section 307 of the Code which envisages an injury sufficient in the ordinary course of nature to cause death. The injury described by the doctor was a lesser injury which would fall within clause Eightly of Section 300 of the Indian Penal Code and be punishable under Section 326 thereof." The same very view has been taken by this court in two other decisions in **Gurjant Singh v. State of Punjab, 1983 (1) RCR 319** and **Narmail Singh v. Nihal Singh, 1979 PLR 151**. Following the dictum of law laid down in the decisions, referred to above, I hold that none of the appellants can be convicted under section 307 Indian Penal Code."*

15. However, this Court has carefully perused the testimonies of PW-1 Harinder Singh, injured and PW-2 Lovepreet Singh injured, who supported the case of the prosecution as mentioned in the present FIR. Both the witnesses were subjected to lengthy cross- examinations, but their statements could not be shattered in any manner. The testimony of PW-1 Harinder Singh, injured and PW-2 Lovepreet Singh has been duly corroborated by PW-5 Dr. Bharat Gupta, PW-11 Dr. Atul Mishra and PW-12 Dr. Ajay Kumar Jhanji. Apart from that, the investigation was conducted by the police and the recoveries of weapon of offence has been duly proved from the present appellants. Thus, even though

no offence under Section 307 IPC is made out, still there was sufficient material to convict the appellants under Sections 326, 323, 452, 148, 149 IPC.

16. Learned counsel for the appellants contended that in the present case, the parties have entered into an amicable settlement and have resolved all their disputes. Even two criminal cases i.e. CRR-1119-2009 (O&M) and CRM-M-18437-2015 (O&M) have already been withdrawn by the parties in view of the compromise between the parties. Even today, during the Court hearing, learned counsel appearing on behalf of respondent/complainant on instructions from his client, made a statement that he has no objection in case the parties are allowed to compound their offences and are ordered to be acquitted by this Court on the basis of compromise. Apart from that, all the appellants were ordinary villagers and they are staying peacefully for the last several years. Learned counsel for the appellants further contended that the criminal proceedings involving heinous offences can always be quashed irrespective of the fact that the trial had already been concluded or the appeal is pending before this Court. In appropriate cases, this Court can always exercise the extraordinary powers of this Court, conferred under Section 482 Cr.PC to secure the ends of justice. Learned counsel for the appellants also referred to the judgment passed by the Hon'ble Supreme Court in the matter of **“Ramgopal and another Vs. State of Madhya Pradesh”, 2021 (4) R.C.R. (Criminal) 322; 2022 CriLJ 2801**, in which the Hon'ble Supreme Court held as follows:-

*“10. The compendium of these broad fundamentals structured in more than one judicial precedent, has been recapitulated by another 3-Judge Bench of this Court in **State of Madhya Pradesh v. Laxmi Narayan & Ors., (2019) 5 SCC 688** elaborating:*

"(1) That the power conferred under Section 482 of the Code to quash the criminal proceedings for the noncompoundable offences under Section 320 of the Code can be exercised having overwhelmingly and predominantly the civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes and when the parties have resolved the entire dispute amongst themselves;

(2) Such power is not to be exercised in those prosecutions which involved heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society;

(3) Similarly, such power is not to be exercised for the offences under the special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender;

(4) xxx xxx xxx

(5) While exercising the power under Section 482 of the Code to quash the criminal proceedings in respect of noncompoundable offences, which are private in nature and do not have a serious impact on society, on the ground that there is a settlement/compromise between the victim and the offender, the High Court is required to consider the antecedents of the accused; the conduct of the accused, namely, whether the accused was absconding and why he was absconding, how he had managed with the complainant to enter into a compromise, etc. "

(Emphasis Applied) "

11. True it is that offences which are 'non-compoundable' cannot be compounded by a criminal court in purported exercise of its powers under Section 320 Cr.P.C., 1973 Any such attempt by the court would amount to alteration, addition and modification of

Section 320 Cr.P.C, 1973 which is the exclusive domain of Legislature. There is no patent or latent ambiguity in the language of Section 320 Cr.P.C., 1973 which may justify its wider interpretation and include such offences in the docket of 'compoundable' offences which have been consciously kept out as non-compoundable. Nevertheless, the limited jurisdiction to compound an offence within the framework of Section 320 Cr.P.C., 1973 is not an embargo against invoking inherent powers by the High Court vested in it under Section 482 Cr.P.C., 1973 The High Court, keeping in view the peculiar facts and circumstances of a case and for justifiable reasons can press Section 482 Cr.P.C., 1973 in aid to prevent abuse of the process of any Court and/or to secure the ends of justice.

12. The High Court, therefore, having regard to the nature of the offence and the fact that parties have amicably settled their dispute and the victim has willingly consented to the nullification of criminal proceedings, can quash such proceedings in exercise of its inherent powers under Section 482 Cr.P.C., 1973 even if the offences are non-compoundable. The High Court can indubitably evaluate the consequential effects of the offence beyond the body of an individual and thereafter adopt a pragmatic approach, to ensure that the felony, even if goes unpunished, does not tinker with or paralyze the very object of the administration of criminal justice system.

13. It appears to us that criminal proceedings involving nonheinous offences or where the offences are pre-dominantly of a private nature, can be annulled irrespective of the fact that trial has already been concluded or appeal stands dismissed against conviction. Handing out punishment is not the sole form of delivering justice. Societal method of applying laws evenly is always subject to lawful exceptions. It goes without saying, that the cases where compromise is struck post-conviction, the High Court

*ought to exercise such discretion with rectitude, keeping in view the circumstances surrounding the incident, the fashion in which the compromise has been arrived at, and with due regard to the nature and seriousness of the offence, besides the conduct of the accused, before and after the incidence. The touchstone for exercising the extra-ordinary power under Section 482 Cr.P.C., 1973 would be to secure the ends of justice. There can be no hard and fast line constricting the power of the High Court to do substantial justice. A restrictive construction of inherent powers under Section 482 Cr.P.C., 1973 may lead to rigid or specious justice, which in the given facts and circumstances of a case, may rather lead to grave injustice. On the other hand, in cases where heinous offences have been proved against perpetrators, no such benefit ought to be extended, as cautiously observed by this Court in **Narinder Singh & Ors. v. State of Punjab & Ors., (2014) 6 SCC 466 and Laxmi Narayan (Supra).***

14. In other words, grave or serious offences or offences which involve moral turpitude or have a harmful effect on the social and moral fabric of the society or involve matters concerning public policy, cannot be construed betwixt two individuals or groups only, for such offences have the potential to impact the society at large. Effacing abominable offences through quashing process would not only send a wrong signal to the community but may also accord an undue benefit to unscrupulous habitual or professional offenders, who can secure a 'settlement' through duress, threats, social boycotts, bribes or other dubious means. It is well said that "let no guilty man escape, if it can be avoided."

17. Even in the present case also the appellants are ordinary villagers. The appellants as well as the complainant side and injured belong to the same village. From a perusal of the facts of the case, it is evident that there was no

pre-meditation and the occurrence had taken place at the spur of the moment over a trivial issue. But now for the last several years, all living in the village peacefully. Learned counsel appearing on behalf of the respondent/complainant, on instructions from the injured, submitted that he has no objection in case the criminal proceedings are annulled by this Court, while exercising its extraordinary jurisdiction under Section 482 Cr.PC on the basis of compromise between the parties. Even the original compromise deed is already available in the file of connected case. Thus, by exercising the powers under Section 482 Cr.PC the parties are allowed to compound the offences, in view of the judgment passed by the Hon'ble Supreme Court in the matter of **Ramgopal's case (Supra)**. Accordingly, the appeal is allowed and the impugned judgment of conviction dated 15.01.2009 and order of sentence dated 22.01.2009, passed by the Court of Additional Sessions Judge, Moga are set aside and the appellants are ordered to be acquitted of the charges. The bail bonds of all the appellants stand discharged and they may be released from custody, if not on bail and if not required in any other case.

18. All pending applications, if any, are also disposed off, accordingly.

19. Case property, if any, be dealt with, and destroyed after the expiry of period of limitation for filing the appeal, in accordance with law. The trial court record be sent back.

07.06.2023

hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No