

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.612 of 2024

Arising Out of PS. Case No.-36 Year-2020 Thana- JAMHOR District- Aurangabad

Vimla Devi @ Bimala Kumari Singh, W/O- Sri Dilip Kumar Singh, R/O- Vill- Akauna, Post- Naugadh, P.S- Muffasil, Dist- Aurangabad, Bihar and at present residing at Ward No.-32, Anugrah Nagar, Near Sinha College, Aurangabad, P.S- Aurangabad(Town), Dist- Aurangabad, Bihar

..... Informant/Appellant

Versus

1. The State of Bihar
2. Lalan Singh, Son of Late Kamta Singh, R/O Vill- Ushrumbha, P.S- Jamhore, Dist- Aurangabad, Bihar

..... Accused/Respondent

Appearance :

For the Appellant/s : Mr. Sushil Kumar Singh, Advocate
For the Respondent/s : Mr. Bipin Kumar, Addl. PP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE SHAILENDRA SINGH)

Date : 30-09-2024

Today, the matter is listed under the heading “For Admission” and vide order dated 08.05.2024 passed in Cr. APP (DB) No. 502 of 2024 which also arises of the same impugned judgment, the trial court’s record was called for and the same has been received and the evidences available on the case record of the trial court have been perused thoroughly.

2. We have heard Mr. Sushil Kumar Singh, learned counsel appearing for the appellant and Mr. Bipin Kumar, learned Additional Public Prosecutor appearing for the State.



3. The present criminal appeal has been preferred under section 372 of the Code of Criminal Procedure (in short 'Cr.P.C.') by the appellant Vimla Devi @ Bimala Kumari Singh, the informant of Jamhore P.S. Case No. 36 of 2020, against the judgment dated 15.03.2024 and order of sentence dated 27.03.2024 passed by the court of learned Additional Sessions Judge-III, Aurangabad in Sessions Trial Case No. 112/2020/604/2023, whereby the learned trial court has acquitted the respondent No. 2 (hereinafter referred to as "respondent"), namely, Lalan Singh from all the charges but convicted the co-accused, namely, Varun Singh for the charged offence under section 302 of the Indian Penal Code (in short 'IPC') but he has been acquitted of the charged offence under section 304B of IPC.

Prosecution Story : -

4. The prosecution story, in brief, is that :-

The informant's daughter, namely, Jagriti Singh (deceased bride) was married three years ago i.e. on 23.11.2017 to one namely, Varun Singh who is the son of the respondent. On 21.06.2020 at 11:00 A.M., the informant received a call from her son-in-law, Varun Singh, who told her that he was coming



with his wife to her house at Aurangabad and during that call, her son-in-law did not disclose any reason of his coming and thereafter, her son-in-law again called her on phone asking her and her family members to come at Aurangabad Sadar hospital and thereafter, her son-in-law again called and informed her that her daughter (daughter-in-law of the respondent) had died. After getting the said information, the informant and her family members rushed to the matrimonial house of her daughter (hereinafter referred to as “victim”) where they found the dead body of the victim but did not find the mother-in-law and sister-in-law of the victim who had absconded before their arrival. As per the informant, her deceased daughter (victim) was being tortured and harassed by her husband, father-in-law, sister-in-law and mother-in-law and they used to subject her to physical cruelty. The informant further alleged that she saw a black mark on the neck of the victim. As per the informant, the accused including the respondent throttled the victim to death and thereby murdered her.

5. The informant filed a written application (Ext. P-1) describing the above allegations, upon that basis, the formal FIR bearing registration No. 36/2020 was registered at Jamhore police station under sections 302/34 and 304B/34 of IPC which



set the criminal law in motion.

6. After completion of the investigation, the respondent and his son Varun Singh were chargesheeted for the offences under sections 302 and 304B of IPC both read with section 34 of IPC and the investigation was kept pending against the rest two co-accused persons, namely, Lalita Devi and Ritu Devi. Thereafter, the learned Chief Judicial Magistrate took cognizance of the alleged offences and after that, committed the case of the respondent to the Court of Sessions. The respondent and his son Varun Singh stood charged for the offences under sections 302 and 304B of IPC both read with section 34 of IPC. The charges were read over and explained in Hindi to the respondent to which he pleaded not guilty and claimed to be tried for the charged offences.

7. During the trial in ocular evidence, the prosecution examined the following witnesses :-

	Name	Evidence
P.W.-1	Pramod Singh	Other witness
P.W.-2	Niraj Kumar	Other witness
P.W.-3	Manoj Kumar Singh	Other witness
P.W.-4	Bimla Devi	Informant
P.W.-5	Dilip Kumar Singh	Other witness
P.W.-6	Venketshwar Ojha	Police witness (first I.O.)
P.W.-7	Dr. Shyam Kumar	Doctor who conducted the



		postmortem of the deceased
P.W.-8	Rama Shankar Singh	Police witness
P.W.-9	Dilip Singh	Other witness
P.W.-10	Dhananjay Singh	Other witness

8. In documentary evidence, the prosecution produced and proved the following documents and got them marked as exhibits which are as under : -

Sl. No.	Exhibit No.	Description
1.	Ext.-X/PW-3	Photo copy of death review report
2.	Ext.-X/1-PW-4	Signature of Vimla Devi on death review report (photo copy)
3.	Ext.-P-1/PW-4	Written application
4.	Ext.-P-2/PW-5	Signature of Dilip Kumar Singh on written application
5.	Ext.-P-3/PW-6	Formal FIR of Jamhore P.S. Case No. 36/2020
6.	Ext.-P-4/PW-6	Endorsement on fardbeyan in c/w Jamhore P.S. Case No. 36/2020
7.	Ext.-P-5/PW-7	Postmortem report of Jagriti Singh
8.	Ext.-P-6/PW-8	Chargesheet No. 66/2020 dated 12.09.2020
9.	Ext.-P-7/PW-8	Original death review report of Jagriti Singh
10.	Ext.-P-8	FSL report No. 1262/20, dated 30.12.2021

9. After the completion of prosecution evidence, the statement of the respondent was recorded under section 313 of Cr.P.C. in which he denied the main circumstances appearing against him from the prosecution's evidences and claimed himself to be innocent. The respondent did not take any specific



defence in his statement.

10. The respondent did not give any evidence in his defence.

Submissions on behalf of the Appellant/Informant :-

11. Learned counsel for the appellant has argued that the evidence of prosecution witnesses particularly of P.W.-1, P.W.-2, P.W.-3, P.W.-4 and P.W.-5 was not properly appreciated by the learned trial court in respect of the allegation concerned to the respondent as all these witnesses remained consistent to the allegation of dowry demand of Ten lakh rupees which was made by the respondent and his family members including the husband of the deceased and these witnesses clearly alleged that 10 to 12 days prior to the occurrence, the victim's husband made the specific demand of Ten lakh rupees from the victim's mother and thereafter, the victim's parental family members went to victim's matrimonial house where the said demand was also made by the respondent and others and as the demand could not have been fulfilled by the victim's parental family members, so, in the result, the victim was murdered by the accused including the respondent and in this regard, the evidence of P.W.-7, who medically examined the dead body and gave his opinion with



regard to the external examination over the dead body which is sufficient to show that a blackish brown ligature mark like an inverted (V) shaped knot was present on the neck, which was not possible in the occurrence of hanging and further any sign of hanging or relevant materials to suggest the victim having committed suicide was not found by the Investigating Officer from the victim's bedroom and in this regard, the evidence of PW.-6 (first I.O.) is relevant. As such, the judgment impugned is completely bad in law as well as on facts and the judgment to the extent of acquitting the respondent is completely perverse to the facts and circumstances appearing from the prosecution's evidences, so, the impugned judgment's part relating to the acquittal of the respondent is liable to be set aside.

Submission on behalf of the State : -

12. On the other hand, learned Additional Public Prosecutor appearing for the State submits that the judgment impugned concerned to the respondent acquitting him is well discussed and while acquitting the respondent, the learned trial court has properly appreciated the prosecution's evidences in which there is no illegality.



Consideration and conclusion :-

13. Heard learned counsel for the appellant and learned Additional Public Prosecutor for the State and also have gone through the prosecution's evidences as well as the respondent's statement recorded under section 313 of Cr.P.C. available on the case record of the learned trial court.

14. The Respondent and his son Varun Singh faced trial jointly and they stood charged for the offences under sections 302 read with section 34 of IPC and 304B read with section 34 of IPC. The learned trial court convicted the son of the respondent but acquitted the respondent of the charged offences from which being aggrieved the appellant, who happens to be the mother of the deceased and also informant of the present case, filed the instant appeal. There is no dispute regarding the recovery of the dead body from the house of the respondent and the prosecution's case is based on circumstantial evidence. From the prosecution story the following material circumstances, which are relevant to the alleged offences, emerge which are as under : -

(i) On the alleged day, when the victim's dead body was found in the house of the respondent, the conduct of the respondent's son afterwards the commission of the offence,



remained suspicious as he allegedly misled the informant by making different statements on mobile calls, as firstly, he told that he was coming with the victim to the house of the informant and later, asked the informant to come at Aurangabad Sadar hospital and thereafter, informed by making further call that the informant's daughter had died.

(ii) When the informant and her family members reached at the *sasuraal* of the victim, they found the victim's dead body lying in the house of the respondent and the mother-in-law and sister-in-law of the victim were found absconding.

(iii) As per the informant, the respondent, his wife, daughter and son had been torturing the deceased for the demand of dowry for a long time.

(iv) The informant found the victim's dead body in the *verandah* of the respondent's house and noticed a black mark on her neck and she suspected that the victim had been strangled to death by the accused persons, including the respondent.

15. In the light of the above material circumstances, at first, we would like to discuss the evidence of P.W.-1 to P.W.-5, who are said to be the maternal relatives of the deceased, in order to find out whether the conclusion made by the learned



trial court in regard to the acquittal of the respondent for the charged offences is correct or not.

16. P.W.-1, Pramod Singh, brother-in-law of the husband of the informant supported the first circumstance as to misguiding by the respondent's son by making different statements on mobile calls regarding position of the victim, though he got the relevant information from the husband of the informant. He deposed that he, informant, informant's husband and others went to Sadar hospital at Aurangabad where they did not find the victim and her in-laws and thereafter, they went to matrimonial village of the victim where they first found a huge crowd and the respondent was standing there with the child of the victim in his lap and he was about to flee but he was caught hold by his companion Manoj Singh. He further deposed that after reaching the matrimonial house of the victim, they entered inside the house wherein they found the dead body of the victim lying in the *verandah* with a cloth cover over it, when they removed the *chadar* (bedsheet) from the body, they found a black mark on the neck which indicated that she had been murdered by throttling and upon entering inside the bedroom of the victim, they found the victim's bed in disorganized condition. The witness further deposed that he was informed by



the informant's husband that the respondent and his son used to demand Rs. 10,00,000/- (Rupees Ten lakhs) as dowry from the deceased (victim). From the above evidence of this witness, one thing is quite clear that the respondent was found present at his house when the informant and her family members reached at the matrimonial house of the deceased after getting information about the victim's death and regarding the alleged demand of Rs. 10,00,000/-, he made the allegation mainly on the basis of information given by the informant's husband, so, on this point, he cannot be deemed to be a material witness.

17. P.W.-2, Niraj Kumar, who is a distant relative of the informant's husband, deposed the similar facts as stated by P.W. -1 but on the point of alleged demand of Rs. 10,00,000/-, he made some contradictory statements to the evidence of PW-1. He deposed that 10 days before the commission of the occurrence, the husband of the victim came at *Aurangabad* with the victim and her son in order to get his son vaccinated, at that time, the respondent's son, who is husband of the victim, was having some dispute with his wife on account of his demand of Rs. 10,00,000/- and thereafter, he (P.W.-2), informant's husband and some others went to the matrimonial house of the victim and on that occasion, the victim came weeping before them and



went inside her room and thereafter the respondent, his son, wife and daughter made a demand of Rs. 10,00,000/- as dowry from the informant's husband and also, threatened him with saying that his daughter would not be safe until their demand is fulfilled.

From the evidence of P.W.-2, it is evident that the demand of ten lakh rupees was not only made by the respondent but also, made by his wife, daughter and son (husband of the deceased/victim) while as per P.W.-1, the said demand was being made by the respondent and his son.

18. P.W.-3, Manoj Kumar Singh, younger brother of the informant's husband, deposed that the demand of ten lakh rupees was made by the respondent's son, Varun Singh, 10 days prior to the incident when he (respondent's son) came to the house of the informant at *Aurangabad* for the vaccination of his child. He further stated that he, along with the informant, her husband and some others, namely, Pramod Singh, Anirudh Singh, Niraj Singh went to matrimonial house of the victim to pacify the dispute arisen on account of demand of rupees but according to him, the victim's in-laws were adamant to their demand. This witness further deposed that the victim was a journalist and residing in Delhi along with her husband and she



came back from Delhi to Bihar to attend the wedding of her husband's sister and after that, she went to her father's house and stayed there during lockdown due to Covid-19 pandemic and according to him, the victim stayed at her matrimonial house for one and half month at the time of occasion of her husband's sister's wedding. Accordingly, from the evidence of this witness, the allegation as to demanding of ten lakh rupees from the victim is general and omnibus against the respondent and he is not alleged to have played any specific role in making the said demand.

19. P.W.-4, Bimla Devi, informant and mother of the victim, deposed that when she received the call from her son-in-law on 21.06.2020, she was able to hear the sound of scuffle between her daughter who was one side and Lata Devi, Ritu Devi and the respondent were the other side. Such statement was not made by the husband of this witness. The witness further stated that after reaching at matrimonial house of the victim, she found the respondent being present there but the other accused persons Lata Devi and Ritu Devi had fled away. She further stated that her daughter (victim) was married to Varun Singh (convict) on 23.11.2017 and 10 days prior to the incident, her son-in-law alongwith the victim came to



Aurangabad for vaccination of their child and after vaccination, they came to her house and on that occasion, her son-in-law demanded ten lakh rupees as dowry and when she denied to fulfill the said demand, her son-in-law became angry and left her house immediately with saying that her daughter would not be happy from now. From this statement, one thing is quite clear that the demand of ten lakh rupees was firstly made by the son of the respondent and according to her, the factum of the said demand was informed to her husband and then her husband went to matrimonial house of the victim for pacifying the dispute having arisen on account of demand of rupees. From the evidence of this witness, any specific role of the respondent in making the alleged demand of ten lakh rupees does not come out. The witness further stated in the cross-examination that the victim and her husband were residing together in Delhi and her in-laws, including the respondent, used to reside at her matrimonial village. According to this witness, any case of dowry demand was not ever filed by either the victim or any of her parental family members anywhere and on 20.06.2020, i.e., one day prior to the incident, the birthday of the victim was celebrated at her matrimonial house. The witness further stated that her son-in-law was earning Rs. 30,000/- to 35,000/- per



month in Delhi and had 28 to 29 *Bigha* land in his village and her daughter (victim) was earning Rs. 25,000/- per month. According to this witness, her son-in-law (convict) belongs to a well-to-do family. From the evidence of this witness, one thing is quite clear that before the commission of the alleged occurrence, no complain regarding the alleged demand of dowry or money had been made by the victim or her parental family members before any competent authority and the victim and her husband had been residing in Delhi for the purpose of their jobs and they came back to the house of the respondent some months before the occurrence.

20. P.W.-5, Dilip Singh, the father of the deceased, deposed that his son-in-law, Varun Singh, made a demand of ten lakh rupees as dowry when he came at his house with the victim and her child after vaccination of her child and when the victim's husband did not get ten lakh rupees at that time he became angry and left the informant's house with the victim and her child. According to this witness, his wife informed him about the factum of demand of ten lakh rupees made by his son-in-law from his daughter. Regarding the subsequent events, as to this witness and others going to victim's matrimonial house and finding the victim's dead body there, the evidence of this



witness remained similar like other prosecution witnesses discussed above. The witness deposed before the trial court that the victim used to tell him about the torture committed with her by her in-laws. But the witness admitted in the cross-examination that his daughter had never made any complaint against her husband and in-laws in any court.

21. Now, we come to the evidence of P.W.-7, Dr. Shyam Kumar, who was a member of the Medical Board which conducted the postmortem examination over the dead body of the deceased. In the external examination, the Medical Board gave the following findings :-

“The blackish brown ligature mark like an inverted (V) shaped knot present at left side mastoid process of neck, face ecchymosis, dropping of both feet, no external injury over the whole body and semen coming out from the vagina and no sign of forceful penetration in anus and vagina.”

From these findings given by the Medical Board, it is evident that no external injury, except one ligature mark on the neck of the deceased, was found, which was not possible if the victim had been physically tortured jointly by her husband, the respondent and other in-laws at the same time soon before her



death and further, the presence of semen coming out from the victim's vagina shows that the victim had physical relation with her husband in the night or some hours prior to the occurrence which gives rise to this presumption that till the time of that physical relation, there was a good relation between the victim and her husband. Though, P.W.-2, P.W.-3, P.W.-4 and P.W.-5 deposed that they saw black marks on the hands, legs and neck of the deceased when they saw the body of the deceased lying in the house of the respondent, but as per the evidence of Dr. Shyam Kumar (P.W.-7), on the body of the deceased only a blackish brown ligature mark on the neck of the deceased was found which shows that P.W.-2, P.W.-3, P.W.-4 and P.W.-5 made their allegation exaggeratedly which puts a question mark on their credibility.

22. Further, the evidence of P.W.-6, Venkateshwar Ojha, Investigating Officer, shows that he did not find any incriminating material at the place of occurrence indicating the commission of murder by the respondent or committing of any kind of physical cruelty by him with the victim just before her death and as per the evidence of P.W.-6, he was informed that the alleged occurrence took place inside the room of the victim where most of the articles were found in order and the



victim's birthday was also celebrated there.

23. From the above discussions, we find that the following circumstances emerging from the prosecution's evidences are very relevant in respect of the charged offence concerned to the respondent : -

(i) The deceased died an unnatural death in the respondent's house.

(ii) Ten to twelve days prior to the victim's death, the victim's husband made a demand of Rs. 10,00,000/- (ten lakh rupees) from the victim's mother at victim's parental house.

(iii) The respondent did not play any specific role in making the demand of Rs. 10,00,000/- from the victim or her parental family members and the said allegation is general and omnibus against him.

(iv) There was a good relation between the victim and her in-laws till the last night of her death as the victim's birthday celebration was held on the previous night from finding the victim's dead body in her in-laws' house and during that night, there was cohabitation between the victim and her husband.

(v) On the body of the deceased only one ligature mark was found on her neck.



(vi) How did the victim die? Either she was throttled to death or she committed suicide and in this regard the relevant circumstances leading to her death can be deemed to be in the special knowledge of the victim's husband as the prosecution evidences suggest that the victim was lastly in the company of her husband during the last moments of her life.

24. In the case of **Sharad Birdhichand Sarda vs. State of Maharashtra** reported in **AIR 1984 SC 1622**, the Hon'ble Apex Court ruled that in a case which is based on the circumstantial evidence, in order to prove the guilt of the accused the prosecution is duty bound to prove the following conditions:-

(i) The circumstances from which the conclusion of guilt is to be drawn should be fully established,

(ii) the facts so established should be consistent only with the hypothesis of the guilt of the accused, that is to say, they should not be explainable on any other hypothesis except that the accused is guilty,

(iii) the circumstances should be of a conclusive nature and tendency,

(iv) they should exclude every possible hypothesis



except the one to be proved, and

(v) there must be a chain of evidence so complete as not to leave any reasonable ground for the conclusion consistent with the innocence of the accused and must show that in all human probability the act must have been done by the accused.

These five golden principles have been held to constitute the panchsheel of the proof of a case based on circumstantial evidence.

In the instant matter, there are four circumstances which are against the respondent, firstly, the victim died an unnatural death in her matrimonial house, secondly, on the neck of the deceased (victim) a ligature mark suggesting hanging or strangulation was found and thirdly, 10-12 days prior to the occurrence, a demand of Rs. 10,00,000/- (ten lakhs rupees) was made by the respondent's son from the victim and victim's mother and fourthly, the respondent was also involved with his family members in presenting the demand of Rs. 10,00,000/- before the victim's parental family members who arrived at the victim's matrimonial house to pacify the matter of dowry demand. On the other hand, there are some circumstances which are in favour of the respondent, firstly, the prosecution



evidences suggest that the victim died in her bedroom where most of the articles were found in order except her bed, secondly, the victim and her husband had been residing in Delhi for the purpose of their jobs till some months before the occurrence and during that period, there was no complain regarding any kind of dowry demand, thirdly, in the night just before the finding of the victim's dead body, a celebration of victim's birthday was held in the respondent's house and fourthly, over the dead body of the deceased, no physical injury except a ligature mark on her neck was found by the Doctor concerned, fifthly, some months prior to the occurrence, the victim and her husband came at matrimonial home of victim from Delhi and thereafter, they had to reside there on account of lockdown due to Covid-19 pandemic.

25. If we take all the above circumstances, in which some are against the respondent and some are in his favour, into account then a possible view of innocence of the respondent in the commission of the unnatural death of the victim arises and we are of the view that the circumstances appearing from the prosecution's evidences as discussed above which are against the respondent, are not of such conclusive nature to show that any hypothesis other than the respondent's guilt, is not possible.



It is a well settled that a judgment of acquittal need not be upturned unless the appellate court comes to a finding that the only conclusion which can be recorded on the basis of the evidence on record would be that the guilt of the accused is proved beyond reasonable doubt and no other conclusion may be possible. Reference in this regard may be made to the judgment of the Hon'ble Supreme Court in the case of **H.D. Sundara and Others Vs. State of Karnataka** reported in **(2023) 9 SCC 581**. In the said case the Hon'ble Supreme Court has laid down the broad principles in paragraphs '8.1' to '8.5' which are to be kept in mind and we reproduce the same hereunder for a ready reference:-

“8. In this appeal, we are called upon to consider the legality and validity of the impugned judgment¹ rendered by the High Court while deciding an appeal against acquittal under Section 378 of the Code of Criminal Procedure, 1973 (for short “CrPC”). The principles which govern the exercise of appellate jurisdiction while dealing with an appeal against acquittal under Section 378 CrPC can be summarised as follows:

“8.1. The acquittal of the accused further strengthens the presumption of innocence;

¹ *State of Karnataka v. H.K. Mariyappa*, 2010 SCC OnLine Kar 5591



8.2. The appellate court, while hearing an appeal against acquittal, is entitled to reappraise the oral and documentary evidence;

8.3. The appellate court, while deciding an appeal against acquittal, after reappraising the evidence, is required to consider whether the view taken by the trial court is a possible view which could have been taken on the basis of the evidence on record;

8.4. If the view taken is a possible view, the appellate court cannot overturn the order of acquittal on the ground that another view was also possible; and

8.5. The appellate court can interfere with the order of acquittal only if it comes to a finding that the only conclusion which can be recorded on the basis of the evidence on record was that the guilt of the accused was proved beyond a reasonable doubt and no other conclusion was possible.”

26. Further, the main allegation, which is concerned to the respondent, is of his involvement in making the demand of ten lakh rupees from the victim and her parental family members but the said allegation is not specific against him as it has come out in the evidence of the prosecution witnesses that the said demand was made by the victim’s in-laws including the respondent when victim’s parental family members arrived at



the matrimonial house of the victim for pacifying the dispute arisen on account of dowry demand and this is not the case of prosecution that it was the respondent who was specifically involved in committing any type of physical cruelty to the deceased (victim) just before her death and as such we are of the considered view that it would be unsafe to maintain the conviction of the respondent on the vague and omnibus allegations particularly with regard to the demand of dowry and in this regard, the observation made by the Hon'ble Apex Court in the case of **Salamat Ali and Another vs. State of Bihar** reported in **1997 SCC (Cri.) 842** is relevant and the same is being reproduced as under : -

“3. The evidence of PW-1 is clear on this point that there were frequent quarrels, but only between the husband and the wife. In other words, the parents had no part to play in the quarrels between the spouses. PW 7, the father of the deceased also had said that his daughter had told him that the demand had been made by the husband, but then he had not taken it seriously. Thus, the allegations against the appellants are general in nature attributed to the husband's family. They have been identified because they were members of his family. It is not clear on the record as besides them who else were members of the family. It thus appears to us that in the absence of clear and pointed evidence it would be unsafe to maintain the conviction of the parents, on vague allegations that the



demand of dowry was made by the husband's family members. In this view of the matter, we would record their acquittal.”

Accordingly, we are not persuaded to interfere in the conclusion of the trial court as to acquitting the respondent of the charged offences and we find no perversity in the findings of the trial court in respect of the respondent No. 2 and find no merit in this appeal, so, it stands dismissed at the stage of admission.

27. It is clarified that the observations made hereinabove in the present appeal shall not affect the merit of the Criminal Appeal (DB) No. 502 of 2024 preferred by the convict Varun Singh, son of the respondent, and either of both the parties of the said appeal shall not be entitled to take any benefit from the above observations made in this judgment.

(Rajeev Ranjan Prasad, J)

(Shailendra Singh, J)

annu/-

AFR/NAFR	AFR
CAV DATE	NA
Uploading Date	05.10.2024
Transmission Date	05.10.2024

