

2024:PHHC:113123-DB



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

Reserved on: 28.08.2024
Pronounced on: 31.08.2024

1. CRA-D-690-DB-2005

ManojAppellant

Versus

State of HaryanaRespondent

2. CRA-720-DB-2005

SanketAppellant

Versus

State of HaryanaRespondent

3. CRA-814-DB-2005

Pawan and anotherAppellants

Versus

State of HaryanaRespondent

4. CRA-D-741-DB-2005

Jai KanwarAppellant

Versus

State of HaryanaRespondent

5. CRA-D-831-DB-2005

Bhander @ Jai BhagwanAppellant

Versus

State of HaryanaRespondent

6. CRA-D-841-DB-2005

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Rakesh @ Raka

.....Appellant

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Argued by: Ms. Geeta Rani, Advocate (legal aid counsel)
for the appellant (in CRA-D-690-DB-2005).

Mr. Neeraj Jain, Advocate (legal aid counsel)
for the appellant (in CRA-720-DB-2005).

Mr. Rakesh Nehra, Senior Advocate with
Mr. Ankit Yadav, Advocate
for the appellants (in CRA-814-DB-2005).

Ms. Shruti Sharma, Advocate (legal aid counsel)
for the appellant (in CRA-D-741-DB-2005).

Mr. Bhupinder Singh Bairagi, Advocate
for the appellant (in CRA-D-831-DB-2005).

Mr. Prateek Sodhi, Advocate (legal aid counsel)
for the appellant (in CRA-D-841-DB-2005).

Mr. Manish Dadwal, AAG, Haryana.

SURESHWAR THAKUR, J.

1. Since all the criminal appeals (supra) arise from a common judgment, therefore, they are amenable for a common verdict becoming recorded thereons.

2. The instant appeals are directed by the convicts-appellants, against the verdict of conviction, as made on 20.09.2005, by the learned Additional Sessions Judge, Sonapat, upon, Session Case No. 163 of 2002 and upon Session Case No. 164 of 2002, wherethrough, in respect

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of charges drawn for offences punishable under Sections 148/302/149 IPC, he made a finding of conviction against the accused.

3. Moreover, through a separate sentencing order drawn on 22.09.2005, the learned trial Judge concerned, proceeded to impose upon the convicts (supra) both sentence(s) of imprisonment as well as of fine, but in the hereinafter extracted manner :-

“..... So keeping in view all these circumstances and antecedents of the accused, I sentence all the accused for life with fine of Rs. 4000/- each under Section 302 read with Section 149 IPC and in default of payment of fine, they shall further undergo for a period of six months of rigorous imprisonment. However, accused/convicts by forming an unlawful assembly have also committed rioting armed with deadly weapons, so they are further sentenced to undergo rigorous imprisonment for a period of two years with fine of Rs. 1000/- each and in default of payment of fine, they shall further undergo rigorous imprisonment for two months under Section 148 of Indian Penal Code.

4. All the sentence(s) were ordered to run concurrently. The convicts become aggrieved from the verdict of conviction (supra), besides become aggrieved from the above imposed sentence(s), thus, they led to cast thereagainst separate appeals before this Court.

Factual background

5. The genesis of the prosecution case becomes encapsulated in the appeal FIR, to which Exhibit PA/II is assigned.

6. The brief facts of the prosecution case are that when on 17.12.2001, the police party headed by Sub Inspector Yashpal Singh was on patrolling duty near Atlas Factory, then the complainant Girdhari Lal met them and made a statement Ex. PA to the effect that he is a resident of village Ratdhana and is an agriculturist. His brother's

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son namely Ravinder (since deceased) was running a Gym at Ratdhana road, Sonapat in the name and style of "The Rock Gym", where about fifty or sixty young persons used to come for exercise. About one month prior to the occurrence, he had displayed some pamphlets and banners of his Gym near the bridge of Railway crossing which were torned by some persons, but later on, he came to know that the pamphlets and banners were torned by accused Kala, Pawan sons of Tek Ram resident of Mukimpur, now resident of Patel Nagar, Sonapat and Sanket Dahiya r/o Gobind Nagar, Sonapat. So, after knowing this fact the complainant and his brother had shown their grouse by visiting to their house. The accused Pawan, Sanket and Kala also used to attend the Gym but one day they raised some quarrel with Ravinder (since deceased), and at that time he rebuked and sent out them from his Gym. The complainant and his brother after knowing this fact expressed their grouse to the accused party by going to their houses and at that time they assured that in future it will not be repeated but due to the earlier grouse the accused entered in the Gym of his nephew on 17.12.2001 and when he (complainant) was coming from his fields at about 8.30 or 9.00 p.m. and reached in front of the Gym then he heard some noise and when he entered in the Gym, there he saw that accused Kala, Pawan, Sanket were causing injuries to Ravinder (since deceased) with knives. He, after seeing them raised rescue calls but the accused named above and their accomplices escaped from the spot and by that time his nephew Ravinder succumbed to the injuries and died. Thereafter, he

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informed his brother Ram Kumar on telephone who also came at the spot. The complainant was going to inform the police but on the way police met him, where he made the statement".

Investigation proceedings

7. Sub Inspector Yashpal Singh recorded the statement of the complainant Ex.PA and after his making his endorsement thereons, he sent the same to the Police Station Civil Lines, Sonapat, on the basis of which case under Sections 148/452/302/149 IPC was registered.

8. After completion of investigations by the investigating officer concerned, into the FIR (supra), he instituted an affirmative report under Section 173 Cr.P.C., before the learned Committal Judge concerned.

9. Initially the SHO of Police Station Civil Lines, Sonapat has challaned accused namely Sanket, Manoj, Pawan, Jai Kanwar, Rohtash and Sanjiv @ Kala for the alleged offences and kept the name of accused Rakesh @ Raka and Bhinder @ Jai Bhagwan in column No. 2 of the challan as at that time police could not arrest them. Subsequently, they were arrested and the police submitted supplementary challans against the accused persons (supra) for the said offences.

Committal proceedings

10. Finding the offence punishable under Section 302 of the IPC, to be exclusively triable by the Court of Session, thus the learned committal Court vide order dated 25.03.2002, committed the case for trial to the Court of the learned Sessions Judge, Sonapat.

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**Trial Court Proceedings**

11. On finding a *prima facie* case, charges under Sections 148 and 302 read with Section 149 of the IPC became framed, against the accused concerned, to which they pleaded not guilty, and, claimed trial.

12. In support of the prosecution case, the prosecution examined twenty witnesses. After completion of recording of the depositions of the prosecution witnesses, the learned Additional Sessions Judge, Sonapat, drew proceedings under Section 313 of the Cr.P.C., but therein, the accused claimed false implication, and, pleaded innocence. The accused did not examine any witness in their defence.

13. After conclusion of the trial, as, became entered into the FIR (supra), by the learned Additional Sessions Judge, Sonapat, the latter proceeded to make the afore verdict of conviction, and, also made the consequent therewith sentence(s) (supra), upon, the appellants.

Submissions of the learned counsel for the convicts-appellants.

14. The learned counsel for the aggrieved convict-appellants herein, have vigorously argued before this Court, that the impugned verdict of conviction, and consequent therewith sentences (supra), as imposed, upon the convicts-appellants, both become ridden with a gross infirmity of gross mis-appreciation, and non-appreciation of the evidence, existing on record. Therefore, they have argued that the appeal(s) be accepted, and, the verdict, as challenged before this Court, be quashed, and set aside.

Submissions of the learned State Counsel

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15. On the other hand, the learned State counsel has argued that the appreciation of evidence as made by the learned Convicting Court, is merit-worthy, and, that it does not require any interference being made by this Court.

Case dependent upon the testimonies of eye witnesses PW-6 and PW-7.

16. For proving the charges (supra) drawn against the convicts, the prosecution made reliance upon the depositions of ocular witnesses to the occurrence, who respectively stepped into the witness box, as PW-6 and PW-7.

17. PW-6-Girdhari Lal (Complainant) in his examination-in-chief testified that the deceased-Ravinder was his nephew, who was running a gym at Rathdhana Road in the name and style of Rock Gym. He further testifies that the deceased had published the banners/advertisement of the Gym at railway crossing and some other public places. The said banners were torn by accused Kala, Pawan and Sanket. Thereafter, he (complainant) and his brother Ram Kumar went to the houses of the accused persons to express their grouse as to why they had torn the banners. PW-6 further echoed that about ten days prior to the occurrence, accused Pawan, Sanket and Kala, came to the gym for exercise and they raised some quarrel with the deceased, thereafter, he (complainant) and his brother Ram Kumar went to the house of Tek Ram, who is the father of accused Kala and Pawan and he raised a grouse that the accused persons while coming to the gym used

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to quarrel with his nephew. Tek Ram assured that they will not quarrel in future.

18. PW-6 further testified that on 17.12.2001 at about 8/8.30 p.m. while he was coming from his fields and reached near the gym, then he heard some noises. Thereafter, he entered the gym by opening the door. At that time, accused Kala @ Sanjiv, Pawan and Sanket were armed with knives in their hands. PW-6 further testified that the other co-accused who were present in the Court were also present in the Gym on that date. The accused Rakesh and Bhandar were having swords while accused Jai Kanwar, Rohtash and Manoj were having *Dav* in their hands.

19. PW-6 testified that all the accused were causing hurt to deceased Ravinder with the help of their respective weapons. On his raising a rescue call, the accused fled away with their respective weapons while his nephew succumbed to injuries on the spot.

20. PW-6 also suffered the ordeal of an exacting cross examination, and, yet during the course thereof, the defence counsel failed to elicit from him, any echoing qua the deposition(s) (*supra*), as, comprised in his examination-in-chief rather being engineered, false, or, contrived. Therefore, credence is to be assigned to the deposition of PW-6.

Corroboration lent to the statement of PW-6 by the deposition of PW-7 and analysis of the testification(s).

21. The statement of PW-6 is fully corroborated by the deposition of PW-7. He too, has spoken therein qua his witnessing the

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commission of the penal act by the accused upon the victim. Even during the ordeal of a rigorous cross-examination, to which he was subjected to, he remained unscathed.

22. A cojoint analysis of the testification(s), as made by the ocular witnesses (supra), to the relevant occurrence suggests, that their respectively made statements are not ridden with any taint of theirs making any gross improvements or embellishments vis-a-vis their respectively recorded statements in writing. Moreover, their respectively made testification(s) are also free from any taint of any intra-se contradiction(s) intra-se their respectively made testification(s). Moreover when they also render unblemished inter-se corroboration(s) to their respectively rendered ocular accounts qua the penal occurrence. Thus, completest credence is to be meted to their respectively made testification(s). Therefore, on the basis of the respectively made testification(s), by the credible ocular witnesses to the occurrence, thus, the charge against the accused but stands fully established.

DISCLOSURE STATEMENT(S) OF ACCUSED AND CONSEQUENT THERETO RECOVERIES

Signed disclosure statement of accused Manoj.

23. During the course of investigations, being made into the appeal FIR, convict Manoj made a signed disclosure statement, to which Ex. PQ/1 is assigned. The signed disclosure statement, as made by the accused is ad verbatim extracted hereinafter.

“In the presence of the following witnesses accused Manoj named above while in police custody without any fear and

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pressure has to made the disclosure statement to the effect that I have kept concealed a Dav with which I had committed the murder of Ravinder owner of the Gym on 17.12.01, in a box lying in the eastern corner of a room in my house which I have taken on rent in village Bandepur and the blood stained clothes had been thrown by me after burning. None else except myself has the knowledge of the Dav. I can get the same recovered by pointing it out. Statement of the accused has been reduced into writing.”

24. Pursuant to the above signed disclosure statement, convict Manoj ensured the effectuation of the recovery of the weapon of offence i.e. DAAV, which was taken into police possession, through recovery memo Ex. PR.

Signed disclosure statement of accused Sanket.

25. During the course of investigations, being made into the appeal FIR, accused Sanket made a signed disclosure statement, to which Ex. PM is assigned. The signed disclosure statement, as made by the accused is ad verbatim extracted hereinafter.

“In the presence of the following witnesses, Sanket above named accused while in police custody has disclosed that I have kept concealed a knife in my residential house with it I have inflicted injuries to Ravinder and the clothes have been concealed by me in the house of my maternal uncle Mehtab in village Pipli Khera. None except me has the knowledge about both the places. I can get the same recovered from both these places after demarcating the same. Statement of accused has been reduced into writing. Signature of the accused and witnesses have been obtained. ”

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26. Pursuant to the above signed disclosure statement, accused Sanket, ensured the effectuation of the recovery of the weapon of offence i.e. knife, which was taken into police possession, through recovery memo Ex. PM/1.

Signed disclosure statement of accused Jai Kanwar.

27. During the course of investigations, being made into the appeal FIR, accused Jai Kanwar made a signed disclosure statement, to which Ex. PJ is assigned. The signed disclosure statement, as made by the accused is ad verbatim extracted hereinafter.

“In the presence of the following witnesses accused Jai Kanwar named above while in police custody has made a confessional statement without any fear and pressure that I have kept concealed the day with which I have committed murder of the owner of the gym, Ravinder, on 17.12.01 in a box lying in the eastern corner of the room of my house in its northern side. Nobody except me has the knowledge of it. I can get it recovered by demarcating the same. The blood stained clothes have been burnt and thrown by me. The statement of the accused has been reduced into writing. Signature of the accused and the witnesses have been obtained.”

28. Pursuant to the above signed disclosure statement, accused Jai Kanwar, ensured the effectuation of the recovery of the weapon of offence i.e. DAAV, which was taken into police possession, through recovery memo Ex. PJ/1.

Signed disclosure statement of accused Pawan.

29. During the course of investigations, being made into the appeal FIR, accused Pawan made a signed disclosure statement, to

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which Ex. PQ is assigned. The signed disclosure statement, as made by the accused is ad verbatim extracted hereinafter.

“In the presence of the following witnesses accused Pawan named above made a disclosure statement to the effect that “ I have kept concealed the knife with which I committed the murder of Ravinder owner of Gym on 17.12.01, in a box lying in the northern corner of a room in my house situated in Patel Nagar, Sonapat and the clothes which were blood stained had been thrown by me after burning. None else except myself has the knowledge of that knife. I can get the same recovered after pointing it out. The disclosure statement of the accused reduced into writing.”

30. Pursuant to the above signed disclosure statement, accused Pawan, ensured the effectuation of the recovery of the weapon of offence i.e. knife, which was taken into police possession, through recovery memo Ex. PR/2.

Signed disclosure statement of accused Sanjeev @ Kala.

31. During the course of investigations, being made into the appeal FIR, accused Sanjeev @ Kala made a signed disclosure statement, to which Ex. PG is assigned. The signed disclosure statement, as made by the accused is ad verbatim extracted hereinafter.

“In the presence of the following witnesses accused Sanjiv @ Kala s/of Tek Ram Jat r/o Mukimpur at present Patel Nagar, Sonapat while in police custody without any fear, pressure confessed that on 17.12.2001, the knife by which on 17.12.01 I had committed the murder of Ravinder Malik in Gym, the said knife I have concealed in the room of my friend in the blood stained clothes. Except me, nobody has

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the knowledge about the same. I can get the same recovered by demarcation. The disclosure statement of the accused is written, which is signed by the accused. Witnesses have witnessed the same. ”

32. Pursuant to the above signed disclosure statement, accused Sanjeev @ Kala, ensured the effectuation of the recovery of the weapon of offence i.e. Knife, which was taken into police possession, through recovery memo Ex. PG/2.

Signed disclosure statement of accused Bhandar @ Jai Bhagwan @ Mahipal.

33. During the course of investigations, being made into the appeal FIR, accused Bhandar @ Jai Bhagwan @ Mahipal made a signed disclosure statement, to which Ex. PN is assigned. The signed disclosure statement, as made by the accused is ad verbatim extracted hereinafter.

“In the presence of the following witnesses Bhandar @ Mahipal s/o Sube Singh Baraigi r/o Chitana while in police custody disclosed that on 17.12.01 I alongwith my companion Pawan, Kala s/o Tek Ram r/o Khanda, Rakesh r/o Chitana, Manoj r/o Rohna and Jai Kanwar r/o Mukimpur had committed the murder of the owner of the gym on Rathdhana road and the sword with which he had committed the murder has been kept concealed by me in my room of fodder and none else except me has the knowledge of it. I can get it recovered after demarcating the place. The disclosure statement of accused has been reduced into writing. Accused has signed on it and witnesses have attested the same.”

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34. Pursuant to the above signed disclosure statement, accused Bhandar @ Jai Bhagwan @ Mahipal, ensured the effectuation of the recovery of the weapon of offence i.e. sword, which was taken into police possession, through recovery memo Ex. PN/1.

Signed disclosure statement of accused Rakesh @ Raka.

35. During the course of investigations, being made into the appeal FIR, accused Rakesh @ Raka made a signed disclosure statement, to which Ex. PO is assigned. The signed disclosure statement, as made by the accused is ad verbatim extracted hereinafter.

“In the presence of the following witnesses accused Rakesh s/o Krishana caste Bairagi r/o Chitana while in police custody has disclosed that on 17.12.01 he alongwith his companion Pawan, Kala s/o Tek Ram, Rohtash r/o Khanda, Bhandar r/o Chitana, Manoj r/o Rohna, Jai Kanwar r/o Mukimpur had committed murder of Ravinder owner of Gym on Rathdhara Road and the sword with which he had committed the murder has been kept concealed by me in a room near Jaipur railway station. None else except me has the knowledge of it and I can get recovered by demarcating the place. Disclosure statement of the accused has been reduced into writing who has signed on it and the witnesses have attested the same.”

36. Pursuant to the above signed disclosure statement, accused Rakesh @ Raka, ensured the effectuation of the recovery of the weapon of offence i.e. sword, which was taken into police possession, through recovery memo Ex. PP/1.

INFERENCES DRAWN FROM THE DISCLOSURE STATEMENT(S) AND RECOVERY MEMO(S).

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37. A reading of the respectively made disclosure statements, does reveal, that not only all the accused confessed their participation, in the crime event, but also reveal qua theirs' evincing their readiness to cause recoveries of the relevant incriminatory items, to the investigating officer concerned, thus from their respective place(s) of their hiding and keeping by them, and which place(s) were but known exclusively to them, and whereafters, also they through recovery memo(s) respectively comprised in Exhibit PR, in Exhibit PM/1, Exhibit PJ/1, Exhibit PR/2, Exhibit PG/2, Exhibit PN/1 and in Exhibit PP/1, also respectively did cause the relevant recoveries, to the investigating officer concerned. The above drawn disclosure statements when become signed by all the co-convicts, and, also when they led to the making of the apposite recoveries at their respective instances, to the investigating officer concerned. In consequence, sanctity is to be meted to the above drawn memo(s).

38. Though the assigning of sanctity thereto would become waned only, when they had ably denied, the existence of their respective signatures thereons, and or, had efficaciously proven that the relevant recoveries, were engineered, or, contrived thus through a clever strategem being deployed by the investigating officer concerned, but yet a reading of the deposition of PWs concerned, does not reveal, that the above possible exculpatory pleas, hence for negating the evidentiary worth of the above drawn memo(s), rather becoming either raised or becoming efficaciously proven.

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**Medical Evidence**

39. The doctor who conducted an autopsy on the body of the deceased stepped into the witness box as PW-11. During the course of his examination-in-chief, he proved the post mortem report, as became authored by him. He also proved the existence thereons of his valid signatures and of its co-author one Dr. Rajiv Sethi. The post mortem report is assigned Exhibit PH/3. The relevant observations, as become narrated in Exhibit (supra) are extracted hereinafter.

- 1. 6X2 cms muscle deep incised wound over the left eye brow, margins and ends were clean cut and wound was horizontal.*
- 2. 6X2 cms muscle deep incised wound over the left forehead clotted blood was present.*
- 3. 4X1 cm muscle deep incised wound over the right forehead, clotted blood was present.*
- 4. 2X1 scalp deep incised wound over the right parietal region of the scalp clotted blood was present.*
- 5. 6X2 cm bone deep incised wound over the right pamporo parietal region of the scalp. Margins and ends were clean cut, clotted blood was present.*
- 6. 10X2 cm muscle deep incised wound horizontally placed over the right upper neck below the auricle margins and ends were clean cut and clotted blood was present. Wound was going deep cutting the neck vessels.*
- 7. 10X3 cm muscle deep incised wound over the left face, the wound going laterally cutting the left pinna.*
- 8. 8X3 cm incised wound below the left auricle horizontally placed underlying muscles and neck vessels were clean cuts.*
- 9. 6 X 1 cm incised would muscle deep over the left mandible.*
- 10. 8X2 cm muscle deep incised wound under the chin margins and ends were clean cut and clotted blood was present.*
- 11. Two incised wound of size 1X0.5 cm lying one blow and one above the injury No. 10, clotted blood was present, margins and ends were clean cut.*
- 12. 8x2 cm bone deep incised wound over the right parieto-occipital region underlying bone was clean cut, clotted blood was present.*

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13. 6X1 cm incised wound over the left occipital region of the skull. Clotted blood was present. Margins and ends were clean cut.

14. Tow parallel incised wound 3X1 cm and 5X1 cm over nape of the neck horizontally placed margins and ends were clean cut clotted blood was present. Skull on exploration, there was fracture of occipital-parietal region on further exploration there was extradural subdural haematoma with brain matter was oedematous.

15. 8X1 cm incised wound horizontally placed over the base of the neck. Margins and ends were clean cut, clotted blood was present.

16. Six incised wounds muscle deep over the back of the right chest upper part scapular region and shoulder sizes are 4X2 cms and rest were in 2X1 cm in size. Margins and ends clean cut, clotted blood was present.

17. 2.5 X1 incised wound muscle deep on left scapular rejoin.

18. 2.50m X 1 cm stab wound over right lower abdomen.

19. Multiple reddish brown contusion of various sized over back of the right side of the abdomen.

20. Multiple reddish brown contusions of various sized over left back, left shoulder joint, left upper chest.

21. 2X1 cm incised wound over the left shoulder, clotted blood was present margins and ends were clean cut.

22. 2X1 cm incised wound over the right shoulder lateral surface.

23. Two incised wound muscle deep 3X1 cms each over right fore arm outer surface clotted blood was present.

24. Two incised wound over right middle finger and right ring finger. Middle phalanx fracture of middle finger.

25. Two incised 4 X 1 cm muscle deep over the left wrist.

26. 2X1 cm incised wound over left thumb proximal phalynx underlying bone was fractured.

27. Anterior abdominal 2X 0.5 cm stab wound over the right epigastrium, near the midline, the wound was going in the abdominal cavity. On further exploration, there was incised wounded in the liver in the corresponding area the abdominal cavity was full of blood.

28. 3x1 cm stab wound over the right hypochondrium margins and ends clean cut, clotted blood was present.

29. 2.5 cm X 1 cm stab wound in midline. 2.5 cm above the umbilicus. The omentum was coming out.

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30. 2.5. cm x 1 cm stab wound over the left abdomn lateral to injury No. 29.

31. 5x 1.5 on stab wounded over left of umbilicus obliquely places. Omentum was coming out. Margins and ends clean cut.

32. Two stab wounds 2.5 x 0.5 cm over left hypochondrium. Margins and ends clean cut, clotted blood was present.

33. 1 x 0.5 cm muscle deep incised wound over right iliac region. Margins and ends clean cut, clotted blood was present. Abdomen on exploration. There were multiple perforations in the small intestine, stomach and mesentery, the wounds were clean cut. The peritoneal cavity was full of blood.

34. 1.5 x 0.5 cm incised wound over the right thigh upper part.

35. 3 x 1 cm incised wound over the right middle of thigh anterior surface clotted blood was present.

36. Two incised wound 1 X 0.5 cms each over right thigh in its middle.

40. Further, the doctor concerned opined that the cause of death of deceased was owing to shock and hemorrhage as a result of injuries to the vital organs described above. All the injuries were declared to be ante mortem in nature and also were declared to be sufficient to cause death in the ordinary course in nature. All the injuries except injuries No. 19 and 20 were stated to become caused by sharp edged weapon while injuries No. 19 and 20 were stated to be caused by blunt weapons.

41. The doctor concerned further observed that the injuries caused to the deceased were owing to the weapons which were shown to him by the police. Since no cogent thereto rebuttal evidence became adduced, thereby grave evidentiary sanctity is to be assigned to the supra.

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42. Since the medical account but corroborates eye witness account besides also lends corroboration to the memo(s) (supra) therebys the charge against the accused is concluded to be efficaciously proven.

Final Order of this Court.

43. In consequence, there is no merit in the appeals, and, they are dismissed. The impugned verdict(s), and, consequent therewith sentence(s) (supra), as imposed upon the convicts by the learned Convicting Court, are affirmed and maintained.

44. If the convicts (supra) are on bail, thereupon, the sentences(s) as imposed upon the convicts-appellants, be ensured to be forthwith executed by the learned trial Judge concerned, through his forthwith drawing committal warrants.

45. The case property, if any, be dealt with in accordance with law after the expiry of period of limitation for the filing of an appeal. The records be sent down forthwith.

46. Since the main case itself has been decided, all the pending application(s), if any, also stand(s) disposed of.

47. A photocopy of this order be placed on the files of connected cases.

(SURESHWAR THAKUR)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

31.08.2024

kavneet singh

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No