

2026:PHHC:048894-DB



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-D-314-DBA of 2004
Date of Decision:03.02.2026
Uploaded on: 01.04.2026

State of Punjab		...Appellant
	Vs.	
Salim Khan		...Respondents

CORAM: HON'BLE MR. JUSTICE N.S.SHEKHAWAT
HON'BLE MR. JUSTICE H.S.GREWAL

Present: Mr. Rahul Jindal, AAG, Punjab.

Mr. Parminder Singh Sekhon, Sr. Advocate with
Ms. Shefali, Advocate, for the respondent.

N.S.SHEKHAWAT, J.

1. The State of Punjab has preferred the present appeal against the impugned judgment dated 01.08.2003 passed by the Court of Sessions Judge, Sangrur, whereby the respondent was ordered to be acquitted of the charge under Section 302 IPC.
2. The FIR in the present case was registered on the basis of the statement made by Jamil Mohammad, PW5, who alleged that Neena @ Parveen was his sister, who was married about two years back with Salim Khan accused. There started a dispute between the couple after about two months of the marriage, but it was resolved. She had been residing with the accused for the last about three months in a house in

Madina Basti, Malerkotla. There were occasional outbursts between the two. On 15.04.2002 at about 06.00 p.m., Jamil Mohammad received telephonic call from Ashok Kumar, (who was a tenant in their house) that Salim Khan was quarreling with Neena Parveen upon which Jamil Mohammad told this fact to his mother Sadeeqan and went to the house of Neena Parveen at about 07.00 p.m. He found Salim Khan armed with a dagger, causing injuries to Neena Parveen. An injury was caused with the dagger in her abdomen and when she was falling down on the ground, he caused injuries in her arm pits. She fell down on the ground. Ashok Kumar reached there, and both of them raised *Raula* upon which Salim Khan abusing them ran away alongwith the dagger. Neena Parveen died at the spot. Ashok Kumar was left to guard the dead-body and Jamil Mohammad started for the Police Station, Malerkotla but SI Bhupinder Singh PW-11 met him near Kailo Gate, Malerkotla. Jamil Mohammad made a statement Ex.PH to the SI, which was forwarded to the Police Station and the present case was registered.

3. SI Bhupinder Singh PW-11 came to the spot, prepared inquest report of the dead-body and prepared rough site plan. The dead-body was sent for post-mortem examination. Blood stained earth was lifted and taken into possession. There were broken pieces of bangles and a pair of *chappal*, which were also taken into possession. Salim Khan was arrested in this case. During interrogation, he suffered disclosure statement Ex.P.N to the effect that he has kept concealed a dagger with Rukhsar, in the grass on the backside of Idgah, which he

only knew and offered to get the same recovered. Disclosure statement was signed by the accused and attested by ASI Darshan Singh and HC Sinder Singh. The accused then led the police party to the specified place and got the dagger recovered, of which *khaka* Ex.P.N./1 was prepared, it was put in a parcel and was sealed with the seal bearing impression BS and was taken into possession vide memo Ex.PN/2, attested by PWs. Rough site plan of the place of recovery of *dagger* was also prepared. The clothes which the deceased was wearing and were put off at the time of post-mortem examination, were also stained with human blood. These were removed by the doctor and were made into parcel and were handed over to the police. The blood stained earth, clothes of the deceased and the *dagger* were sent to the Director, Forensic Science Laboratory Punjab, Chandigarh, who vide his report Ex.PQ reported that the same were stained with human blood.

4. After the registration of the FIR, Bhupinder Singh, SI, went to the spot and prepared the inquest report of the incident. He also sent the dead body for post-mortem examination and the incriminating evidence from the place of occurrence was collected. He also arrested Salim Khan, respondent in the present case, who got recovered a dagger in pursuance of his disclosure statement, Ex.PN, from the grass on the back side of Idgah. The *dagger* was sealed in a parcel with the seal bearing impression 'BS' and was taken into possession by the memo Ex. PN/2. The rough sketch of dagger and the rough site plan of the place of recovery were also prepared. The blood-stained clothes of the deceased

were removed by the doctor and were kept in a parcel. The blood-stained earth, clothes of the deceased, and the dagger were sent to the Director of FSL, Punjab, Chandigarh and vide a report Ex. PQ, it was reported that all the articles were stained with human blood. After completion of necessary investigation, the *challan* was presented before the Area Magistrate.

5. Since, the offence was triable by the Court of Sessions, the case was committed to the Court of Sessions for trial. After perusing the *challan* and accompanying documents, the trial Court formed a *prima facie* opinion that a charge under Section 302 IPC was made out against the respondent and a charge sheet was accordingly framed. However, the accused pleaded not guilty and claimed trial.

6. In support of the prosecution case, the prosecution examined 11 witnesses, viz., Dr. Jamil Bhatti PW-1, Sudhir Chopra PW-2, ASI Satnam Singh PW-3, HC Karamjit PW-4, Mohd. Jamil PW-5, Ashok Kumar PW-6, C. Gurmeet Singh PW-7, Amrik Singh PW-8, ASI Darshan Singh PW-9, Deepak Kumar alias Kala PW-10 and SI Bhupinder Singh PW11.

7. The prosecution examined PW1 Dr. Jamil Bhatti, who along with Dr. Rajeev Sharma, had conducted the post-mortem examination on the dead body of Neena Parveen on 16.04.2002 at 10.45 a.m. He noticed the following injuries on the dead body of the deceased:-

“1. An incised spindle shaped injury 5 cm x 2 cm in the right typochodrium region 12 cm below the right nipple. Abdomen deep.

2. An incised injury 2.5 cm x 1 cm in the left hypochondrum region 14 cm below the left nipple.

3. An incised wound 3 cm x 1 cm abdomen deep, 8 cm below the injury No.1.

4. An incised wound 5 cm x 2 cm in the right hypogastric region. Omentum came out.

5. An incised wound 3 cm x 2 cm in the upper part of abdomen 7.5 cm below and lateral to injury No.1.

6. Incised wound 3 cm x 3 cm in the right hypogastrium region 5 cm below and lateral to umbilics. A portion of small intestine came out of the wound.

7. An incised wound 2 cm x 1 cm in the left iliac fossa region.

8. An incised wound 4 cm x 1 cm on the left lateral side of abdomen in the post auxiliary live region.

9. An incised wound 2.5 cm x 1 cm on the front central part of left thigh.

10. An incised injury 3 cm x 1.5 cm on the left thigh 6 cm below and lateral to injury No.9.

11. An Incised injury skin deep 3 cm x 0.5 cm on the planter aspect on the medial side of left foot 5 cm below the left medial maleolus”.

Organs of thorax were healthy and normal. Both ventricles of heart were empty. Abdominal wall injuries have already been described. Abdominal cavity was full of blood and blood clots. Peritoneum was injured. Stomach was injured and empty. Liver and spleen were injured.

Small intestine contained fluid and gases and large intestines contained faecal matter and gasses. Bladder empty and healthy. Organs of genital were healthy.

In our opinion the cause of death was due to shock resulting from excessive hemorrhages due to injuries to the vital organs, liver and spleen and multiple injuries. All the injuries were antemortem in nature and were sufficient in ordinary course of nature to cause death. The probable time that elapsed between injury and death was instantaneous and between death and postmortem was within 24 hours. We handed over the stitched dead body to the police, bundle of clothes and belongings of deceased, all signed and sealed. He also proved on record the inquest report Ex. PC. He stated that he had seen the dagger Ex. P1 and injuries No. 1 to 8 could be caused with dagger Ex. P1. Similarly, injuries No. 9 to 11 could also be caused with the same dagger Ex.P1.

In his cross-examination, he stated that duration between 20 hours means 0 hours to 24 hours. He could not say if the death had taken place in this case at 12 O'clock noon on 15.04.2002. In response to a question as to whether the death could be about 05 p.m. on 15.04.2002, he stated that it could be there. However, as per police information, the death had taken place at 07.45 p.m. on 15.04.2002.

8. The prosecution further examined PW2 Sudhir Chopra, who was owner of Chopra Studio Malerkotla. He had taken four snaps Ex. P9 to P16 and also produced negatives on record. The photographs were of dead body of a lady. PW3 Satnam Singh had conducted the

personal search in the presence of SI Bhupinder Singh. PW4 HC, Karamjit Singh tendered his affidavit, Ex. PG in evidence and his testimony was formal in nature. PW4 Mohammad Jameel is the main witness of the prosecution and the FIR was registered on his statement. He supported the case of the prosecution in totality. The prosecution further examined PW6 Ashok Kumar, who was a tenant in the house of Neena @ Parveen, deceased. At about 05.00 p.m. on 15.04.2002, he reached his house and saw that Salim Khan accused/respondent was quarreling with the deceased. He came out and went Kailon gate and rang up at the shop of Kala. Kala called Jamil Mohammad and he never informed Jamil Mohammad and deceased and Salim Khan had been quarreling with each other and he should reach there. He informed Jamil Mohammad at about 05.15 p.m. Thereafter, he remained busy in Bazar and reached back at the house 07/7.15 p.m. He saw that Salim Khan respondent was armed with a *chura* (dagger) and was causing injuries to the deceased. Jamil Mohammad was also standing there. He saw that the dagger was blood-stained. The prosecution further examined Gurmeet Singh, Constable, as PW7, who remained associated with the investigation in the present case. Amrik Singh PW8 prepared the scaled site plan Ex. PK. Darshan Singh PW9 also remained associated with the investigation in the present case with SI Bhupinder Singh. In his presence, blood-stained earth was lifted from the place of the occurrence and was kept in a sample. All other incriminating evidences were also collected from the site in his presence and he signed as a witness. The

prosecution further examined PW10 Deepak Kumar alias Kala, who stated that at about 7.00/7.15 p.m. on the date of occurrence, he received a telephonic call and he called Jamil Mohammad from his house, who heard the telephonic call. He was told by Jamil Mohammad that his brother-in-law was quarreling with his sister. The prosecution examined SI Bhupinder Singh as PW11, who proved the entire investigation in the present case.

9. After the closure of prosecution evidence, the statement of respondent was recorded under Section 313 Cr.P.C. and he denied all the evidence appearing against him. He stated that no such occurrence had taken place and he had been falsely implicated in the present case. He was married with Neena @ Parveen, since deceased. He had named her as Rukhsar. Neena @ Parveen @ Rukhsar was killed in the house in Madina Basti, which was owned by her and her sister Rano. At that time, he was not residing with her. Rano (her sister) sold her share. His father-in-law was treating Ashok Kumar as his son and he was on visiting terms with his in-laws. He did not know as to why he was implicated in this case instead of actual culprit. The in-laws of Nazeer, brother of Neena @ Parveen, were inimical towards Nazeer and Neena @ Parveen. Other family members were also inimical towards Neena @ Parveen and Nazeer. After his marriage and before death of Neena @ Parveen, Nazeer and Bobby and their wives, took him from his house in Gobind Nagar on the pretext that father-in-law was lying admitted in the hospital. However, on the way, they gave him severe beatings and

confined him in a room. They forced to put signatures on papers, but he did not do so. They wanted to an amount of Rs. 75,000/- from him as *Mehar*, but he did not pay. Rather, he got a case registered against them. They kept him entangled for 10 months and extracted money from him. For one month after the marriage, Neena @ Parveen lived cordially with him. In the above said case which was got registered by him, Neena @ Parveen was also the accused.

10. In his defense, the respondent examined DW1 Mohinder Singh Constable, who proved seven FIRs against Neena @ Parveen and brother of deceased. He brought the original FIR No. 18 dated 16.02.1997 registered in P.S. Malerkotla, under Section 366 IPC, against Nasir Hussain son of Faqir Mohd., resident of Rurka village. He stated that it was registered on the statement of Mohd. Ramzan s/o Mohd. Yusuf r/o Madina Basti, Malerkotla and photostat copy of which is Ex. DC. He also brought FIR No.178 dated 22.08.1999 of P.S. Malerkotla, under Section 325/34 IPC registered against Nazir Hussain son of Faquir Mohd. and Neena daughter of Faqir Mohd. residents of Madina Basti, Malerkotla, which was registered on the statement of injured Mohd. Ramzan son of Nathu. The photostat copy of the same is Ex.DD. He also brought the original FIR No.187 dated 20.07.2001 of P.S. Malerkotla under Sections 363 and 365 IPC registered against Nazir Mohd. son of Faqir Mohd. Resident of Rurka, on the statement of Ranjan Singh son of Gurnek Singh. The photostat copy of the same is Ex.DE. He also brought the FIR No.201 dated 18.08.2001 of P.S.

Malerkotla, registered under Sections 365, 342 and 34 IPC on the statement of Salim Khan son of Umar Din resident of Gobind Nagar, Malerkotla, against Nazir Hussain C.II 2224 son of Faquir Mohd., Manisha wife of Nazir Hussain, Dogar residents of Rurka, Naziran wife of Bobby etc., and Bobby alias Talib Hussain resident of Tapa and also against Neena Parveen daughter Faqir Mohd. resident of Rurka. The photostat copy of the FIR is Ex.DF. He also brought the original FIR No.212 dated 24.08.2001 P.S. Malerkotla under Sections 406/498-A, 506 IPC registered on the application of Arshad Bibi daughter of Mohd. Munir resident of Matoi, against C.II Nazir Hussain No. 2224 son of Gaquir Mohd. residents of Rurka, Ibrahim son of Abdullah resident of Madina Basti, Malerkotla. The photo copy of the same is Ex. DG.

11. Learned State counsel has vehemently argued that in the present case, PW5 Jamil Mohammad and PW6 Ashok Kumar had witnessed the occurrence and supported the case of the prosecution. Even, both the witnesses had specifically stated that on the date of occurrence, they had seen that the respondent was carrying a dagger in his hands and was causing blows with it to Neena @ Parveen. Even when she had fallen on the ground, the respondent gave blows with the dagger on her flanks and she succumbed to the injuries and died there only. Learned State counsel further submits that the prosecution examined Dr.Jamil Bhatti as PW1, who clearly stated that injuries No. 1 to 8 on the body of the deceased could be caused with the dagger which was recovered from the respondent. Even injuries No. 9 to 11 could also

be caused by the same dagger and all the vital organs of Neena @ Parveen had suffered multiple injuries. It was also established that all the injuries were ante-mortem in nature and were sufficient to cause death. Learned trial Court had taken into consideration the minor contradictions in the statements of prosecution witnesses and a wrong inference had been drawn. Learned State Counsel further submits that even the allegations leveled by the complainant were found to be correct during the course of investigation by the police and PW11 SI Bhupinder Singh had proved the entire investigation in the present case. Even, the respondent had raised a false defence that Neena @ Parveen was killed by some unknown person and he was falsely involved. In fact, the respondent/accused had led no evidence to prove his defence and this also strengthens the case of the prosecution in the present case.

12. On the other hand, learned counsel appearing on behalf of the respondent has referred to the detailed findings recorded by the trial Court to contend that even though Neena @ Parveen was stabbed to death, but there was no connect evidence for convicting the respondent. Rather, the star witnesses, PW-5 Jamil Mohammad and PW-6 Ashok Kumar were highly interested witnesses and due to old enmity, they levelled false allegations against the respondent by clearly improving their earlier statements. Rather, from the statements made by both the witnesses, there is an anxiety to falsely involve the respondent was writ large. Even, the trial Court had recorded the detailed findings and the evidence of the prosecution itself exonerated him.

13. We have heard learned counsel for the parties and gone through the trial Court record carefully.

14. In the present case, the prosecution case was primarily based on the testimonies of PW5 Jamil Mohammad and PW6 Ashok Kumar. It is also an admitted fact that both of them were highly interested witnesses in the matter. PW5 Jamil Mohammad is the real brother of the deceased, whereas PW6 Ashok Kumar was a tenant under the deceased, and as per the prosecution witnesses themselves, he was treated like a son by the father of the deceased. Thus, the testimonies of both the witnesses have to be scrutinized carefully and cautiously. In the present case, Ashok Kumar appeared as PW6 and stated that at about 05.15 p.m., he informed Jamil Mohammad that respondent was quarreling with Neena @ Parveen, deceased. Thereafter, he remained busy in the market in purchasing some articles. When he reached his house at about 07.15 p.m., he saw that respondent was armed with a dagger and was causing injuries to Neena @ Parveen, deceased. Even the dagger was blood-stained. Jamil Mohammad PW5, was also present there. He raised noise to save her and respondent went outside with a dagger. Even the residents of Mohalla also collected there and Jamil Mohammad informed the police. However, the said witness was duly confronted with his previous statement recorded under section 161 Cr.P.C. In the said statement, he stated that he had seen the respondent and deceased quarrelling with each other and he informed Jamil Mohammad on the shop of Deepak Kumar @ Kala, PW10. He returned

home at about 07.00 p.m. and by that time Jamil Mohammad PW5, also reached at the spot of occurrence. However, in his statement under Section 161 Cr.P.C., he had not stated that the respondent had caused injuries to Neena @ Parveen, deceased, in his presence. Thus, it is apparent that with regard to the most material facts, he had improved his version and rather that shows the anxiety on his part to assign a specific role to the respondent in the present case. Even his conduct clearly shows that he was concerned about a quarrel between the accused and the deceased and rather went to make a telephonic call to Jamil Mohammad PW5 so that he may reach at the place of occurrence. However, on the other hand, his conduct shows that he was not even present at the place of the occurrence. He went to the market and there he had informed Jamil Mohammad PW5 by calling him at the shop of Deepak Kumar @ Kala PW10. However, when the respondent was causing injuries to the deceased, he preferred not even to intervene and save the life of Neena @ Parveen. Even, he and Jamil Mohammad PW5 did not try to apprehend the respondent at the spot and it is unbelievable that he was standing at the place of the occurrence as mute spectator while the injuries were being caused to the deceased. Similarly, the prosecution had examined PW5, Jamil Mohammad, who is also real brother of the deceased. He apparently was having strained and inimical relations with the respondent. even as per him, the respondent used to take liquor and beat up his sister Neena @ Parveen. Even the accused had got a case registered under Sections 365, 342 and 34 IPC against

him and his wife and others. Even PW5, Jamil Mohammad admitted that on hearing the noise, many persons were attracted at the spot, however, no witness has been examined during the course of trial. Still further, when he came to know about the fact that the accused and the deceased were quarreling with each other, he did not inform the police. Even in his presence, the respondent had allegedly caused injuries to the deceased. He allegedly witnessed the occurrence along with PW6 Ashok Kumar, but surprisingly, none of them either tried to save the deceased or to apprehend the respondent at the spot.

15. Still further, even on seeing the dead body, he did not call up the police. He even did not inform his mother and other family members about the death of his sister. Even there was no evidence to show that any neighbor was examined by the police or the Court to lend credence to the testimony of PW6 Ashok Kumar. Apart from that, we also agree with the findings recorded by the trial Court that the deceased was not a woman of good character and there were cases registered against her and her brothers. The defence had examined DW1, Mohinder Singh, Constable, who brought the records of several FIRs which were registered against the deceased and her family members. The relevant extract of the statement of DW1 has been reproduced below:-

“I have brought the original FIR No. 18 dated 16.02.1997 registered in P.S. Malerkotla, under Section 366 IPC, against Nasir Hussain son of Faqir Mohd.,

resident of Rurka village. It was registered on the statement of Mohd. Ramzan s/o Mohd. Yusuf r/o Madina Basti, Malerkotla and photostat copy of which is Ex. DC. I have also brought FIR No.178 dated 22.08.1999 of P.S. Malerkotla, under Section 325/34 IPC registered against Nazir Hussain son of Faquir Mohd. and Neena daughter of Faqir Mohd. residents of Madina Basti, Malerkotla, which was registered on the statement of injured Mohd. Ramzan son of Nathu. The photostat copy of the same is Ex.DD. I have also brought the original FIR No.187 dated 20.07.2001 of P.S. Malerkotla under Sections 363 and 365 IPC registered against Nazir Mohd. son of Faqir Mohd. Resident of Rurka, on the statement of Ranjan Singh son of Gurnek Singh. The photostat copy of the same is Ex.DE. I have also brought the FIR No.201 dated 18.08.2001 of P.S. Malerkotla, registered under Sections 365, 342 and 34 IPC on the statement of Salim Khan son of Umar Din resident of Gobind Nagar, Malerkotla, against Nazir Hussain C.II 2224 son of Faquir Mohd., Manisha wife of Nazir Hussain, Dogar residents of Rurka, Naziran wife of Bobby etc., and Bobby alias Talib Hussain resident of Tapa and also against Neena Parveen daughter Faqir Mohd. resident of Rurka. The photostat copy of the FIR is Ex.DF. I have also brought the original FIR No.212 dated 24.08.2001 P.S. Malerkotla under Sections 406/498-A, 506 IPC registered on the application of Arshad Bibi daughter of Mohd. Munir resident of Matoi, against C.II Nazir Hussain No. 2224 son of Gaquir Mohd. residents of Rurka, Ibrahim son of Abdullah resident of Madina Basti, Malerkotla. The photo copy of the same is Ex. DG”.

16. Thus, this Court completely agrees with the findings recorded by the trial Court that the presence of PW5, Jamil Mohammad and PW6 Ashok Kumar, at the spot, at the time of occurrence, was highly doubtful and it is equally doubtful that the respondent had caused injuries to the deceased.

17. It has been held by the Hon'ble Supreme Court in the matter of **"Bhaskarrao and others Vs. State of Maharashtra"**, 2018 AIR (Supreme Court) 2222; 2018 (5) RCR (Criminal) 228 as follows:-

*"14. As the trial court and High Court, having appreciated the evidence on record, has come to diametrically opposite conclusions, mandating herein to observe certain witness statements which may have an important bearing in this case. In the processes of appreciating the evidence at the appellate stage, we need to keep in mind the views of this court as expressed in **Tota Singh and Anr. v. State of Punjab**, 1987(2) RCR (Criminal) 35 : 1987 CriLJ 974 -*

"The High Court has not found in its judgment that the reasons given by the learned Sessions Judge for discarding the testimony of PW2 and PW6 were either unreasonable or perverse. What the High Court has done is to make an independent reappraisal of the evidence on its own and to set aside the acquittal merely on the ground that as a result of such reappraisal, the High Court was inclined to reach a conclusion different from the one recorded by the learned Sessions Judge. This Court has repeatedly pointed out that the mere fact that the Appellate Court is inclined on a reappraisal of the evidence to reach a conclusion which is at variance with the one recorded in the order of

acquittal passed by the Court below will not constitute a valid and sufficient ground for setting aside the acquittal. The jurisdiction of the Appellate Court in dealing with an appeal against an order of acquittal is circumscribed by the limitation that no interference is to be made with the order of acquittal unless the approach made by the lower Court to the consideration of the evidence in the case is vitiated by some manifest illegality or the conclusion recorded by the Court below is such which could not have been possibly arrived at by any court acting reasonably and judiciously and is, therefore, liable to be characterized as perverse. Where two views are possible on an appraisal of the evidence adduced in the case and the court below has taken a view which is plausible one, the Appellate Court cannot legally interfere with an order of acquittal even if it is of the opinion that the view taken by the Court below on its consideration of the evidence is erroneous."

18. *In Ramesh Babulal Doshi v. State of Gujarat, 1997(3) RCR (Criminal) 62 : 1996 CriLJ 2867, this Court observed:*

"This Court has repeatedly laid down that the mere fact that a view other than the one taken by the trial Court can be legitimately arrived at by the appellate Court on reappraisal of the evidence cannot constitute a valid and sufficient ground to interfere with an order of acquittal unless it comes to the conclusion that the entire approach of the trial Court in dealing with the evidence was patently illegal or the conclusions arrived at by it were wholly untenable. While sitting in judgment over an acquittal the appellate Court is first required to seek an answer to the question whether the findings of the trial Court are

palpably wrong, manifestly erroneous or demonstrably unsustainable. If the appellate court answers the above question in the negative the order of acquittal is not to be disturbed."

19. Still further in **Criminal Appeal No(s.) 410-411/2015 [Ravi Sharma Vs State (Government of N.C.T. of Delhi) and another]**, decided on 11.07.2022, Hon'ble the Supreme Court has held as under:-

*"Before venturing into the merits of the case, we would like to reiterate the scope of Section 378 of the Code of Criminal Procedure (for short 'Cr.P.C.') while deciding an appeal by the High Court, as the position of law is rather settled. We would like to quote the relevant portion of a recent judgment of this Court in **Jafarudheen and Others v. State of Kerala (2022 SCC Online SC 495)** as follows:*

"25. While dealing with an appeal against acquittal by invoking Section 378 of the Cr.PC, the Appellate Court has to consider whether the Trial Court's view can be termed as a possible one, particularly when evidence on record has been analyzed. The reason is that an order of acquittal adds up to the presumption of innocence in favour of the accused.

Thus, the Appellate Court has to be relatively slow in reversing the order of the Trial Court rendering acquittal.

Therefore, the presumption in favour of the accused does not get weakened but only strengthened. Such a double presumption that enures in favour of the accused has to be disturbed only by thorough scrutiny on the accepted legal parameters."

20.

In view of the above discussion and the law laid down by the Hon'ble Supreme Court, we find no merit in the present appeal and the same is ordered to be dismissed.
21.

As a consequence of above discussion, the impugned judgment dated 01.08.2003 passed by the Court of Sessions Judge, Sangrur, is ordered to be upheld.
22.

All pending applications, if any, are disposed of, accordingly.
23.

The case property, if any, may be dealt with as per the rules.
24.

Records of the Court below be sent back.

(N.S.SHEKHAWAT)
JUDGE

(H.S.GREWAL)
JUDGE

03.02.2026	Whether reasoned/speaking	: Yes/No
amit rana	Whether reportable	: Yes/No