



\$~49

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 491/2018**

SATNAM KAURAppellant

Through: None.

versus

THE STATE GOVT OF NCT OF DELHI & ORSRespondents

Through: Mr. Ashneet Singh, APP.

Mr. Mukesh Kalia, Mr. Shivam

Sharma & Mr. Gaurav Bishnoi, Advs.
for R-3.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **08.04.2026**

1. This hearing has been done through hybrid mode.
2. The present appeal has been filed by the Appellant seeking setting aside of the impugned judgment dated 26th December, 2016, passed by the Id. ASJ, Central District, Tis Hazari Court, Delhi. Vide this appeal, the Appellant seeks for the conviction of Respondent No. 2 & 3 u/s 302/34, IPC, in **FIR No. 208/2011**, registered at PS Subzi Mandi.
3. This appeal arises out of an incident that occurred on the intervening night of 22nd / 23rd October, 2011 on the First Floor of 3979/80, Roshnara Road, Delhi.
4. The allegation in the case was that Respondent No. 2– Mr. Gurnam Singh and Respondent No. 3– his son, with a common intention, had committed the murder of one Mr. Malvinder Singh @ Kaka who was the brother-in-law (sister's husband) of Respondent No. 3– Harpreet Singh and the son-in-law of Respondent No. 2– Mr. Gurnam Singh.
5. The deceased – Mr. Malvinder Singh was married to Ms. Ravinder



Kaur, the daughter of Mr. Gurnam Singh on 1st June, 2008.

6. Upon the incident having been recorded, **FIR No. 208/2011** was registered at PS Subzi Mandi. and thereafter, the case was investigated and a charge-sheet was filed before the Id. Trial Court.

7. There were certain recoveries, including that of a pistol and a knife. The case was committed to the Sessions Court, Central District, Tis Hazari Court, Delhi, and charges were framed against Respondent No. 2 & 3 vide order on charge dated 4th April, 2012, under Section 302/34 IPC. Both the accused had pleaded not guilty.

8. The Court then proceeded with the trial of the case and the prosecution had examined 25 witnesses. The statement of the accused persons under Section 313 Cr.P.C. was also recorded.

9. The Id. Trial Court came to the conclusion that the prosecution had failed to lead sufficient evidence to show that the accused persons were guilty. In fact, fingerprints were not lifted from the pistol or the knife and the Id. Trial Court gave benefit of doubt to both the accused persons.

10. Accordingly, on 26th December, 2016, the acquittal order was passed. The relevant portions of the same are set out below:

“Conclusion

*14. In view of the above discussion, court finds that prosecution has not been able to bring home guilt to any of the two accused beyond shadow of reasonable doubt. **Extending benefit of doubt, this court hereby orders for acquittal of each accused in this case.** Case property be disposed of in accordance with law on expiry of period of Appeal/Revision, if none is preferred or subject to decision thereof. File be consigned to Record Room.”*



11. The present appeal was then preferred against the acquittal by Mrs. Satnam Kaur, the mother of the deceased.
12. On 20th July, 2017, the Court ordered that the Id. APP would obtain instructions as to whether the State is preferring any appeal in this matter or not.
13. On 31st August, 2017, notice was issued in this appeal and the delay was also condoned. The matter has remained pending since then.
14. The appeal was admitted on 26th April, 2018 and both, the Respondent Nos. 2 and 3 were admitted to bail on the said date.
15. In the meantime, the Appellant had passed away and the verification of the death of the Appellant was to be conducted. The same now stands verified. The father of the deceased had also passed away prior to the filing of the appeal itself.
16. In addition, Respondent No. 2– Mr. Gurnam Singh, i.e., one of the accused persons has also passed away.
17. Thus, both the parents of the deceased persons, as also one of the accused persons have passed away.
18. The daughter of the Appellant i.e., the sister of the deceased is alive and she has verified the demise of both her parents. However, she has not come forward to press the present appeal.
19. It is also stated that the State has not preferred an appeal against the impugned judgment dated 26th December, 2016, despite the Court having directed on 20th July 2017, for specific instructions to be obtained.
20. Since no one on behalf of the deceased person is now available to press the present appeal and the State has not preferred an appeal, in the opinion of this Court, the present appeal stands abated.



21. The appeal is accordingly disposed of. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

APRIL 8, 2026
Rahul/ss