

IN THE COURT OF THE SESSIONS JUDGE, AMBEDKAR NAGAR**Present: Chandroday Kumar, H.J.S.**

Sessions Judge, Ambedkar Nagar

JO Code: UP06553**SESSION TRIAL NO. 286 OF 2014, CNR: UPAN010010852014***(Arising out of Case Crime No. 99 of 2013, Police Station: Rajesultanpur)***State of Uttar Pradesh***... Prosecution***Versus**

1. **Mahaveer**, son of Nathai Ram
2. **Dilip**, son of Mahaveer
3. **Pradeep**, son of Mahaveer
4. **Manish**, son of Pradeep
5. **Avanish, @ Avinash**, son of Pradeep

*All residents of Village Shankarpur Tappa Haveli, P.S. Rajesultanpur, District Ambedkar Nagar.**... Accused Persons***Charges Framed:** Sections 147, 323/149, 308/149, and 504 of the Indian Penal Code, 1860.**AND****SESSION TRIAL NO. 13 OF 2025 CNR: UPAN010000822025***(Arising out of Case Crime No. 182 of 2013 / Originally NCR No. 102 of 2013, Police Station: Rajesultanpur)***State of Uttar Pradesh***... Prosecution***Versus**

1. **Rambali**, son of Nathai

2. **Karan**, son of Mohanlal

All residents of Village Shankarpur Tappa Haveli, P.S. Rajesultanpur, District Ambedkar Nagar.

... Accused Persons

Charges Framed: Sections 323, 324, 325, and 504 of the Indian Penal Code, 1860.

COMMON JUDGMENT

This common judgment disposes of two connected criminal trials, **Session Trial No. 286 of 2014** (*State vs. Mahaveer and others*) and **Session Trial No. 13 of 2025** (*State vs. Rambali and others*). Both trials arise from cross-cases registered regarding a singular violent incident that transpired on **13.06.2013** between 11:00 AM and 11:30 AM in Village Shankarpur Tappa Haveli, within the jurisdiction of Police Station Rajesultanpur, District Ambedkar Nagar. The parties involved are closely related *pattidars* (co-sharers) embroiled in a long-standing property dispute over an ancestral land holding and a mango tree.

Abatement and Separation of Records:

1. During the trial of ST No. 286/2014, the accused **Suryabali** died, and the proceedings against him were ordered to abate vide order dated 16.12.2016.
2. In the cross-trial of ST No. 13/2025, accused **Mohanlal** died during the pendency of the trial, leading to the abatement of his case vide order dated 21.11.2024.
3. Accused **Arjun** (in ST No. 13/2025) was declared a juvenile-in-conflict-with-law by the learned Magistrate on 23.10.2017, and his record was separated and referred to the Juvenile Justice Board.
4. Consequently, this Court is proceeding to judge the criminal liability of the surviving adult accused persons: Mahaveer, Dilip, Pradeep, Manish, and Avanish in ST No. 286/2014, and Rambali and Karan in ST No. 13/2025.

INTRODUCTORY FACTS & FACTIONAL NARRATIVES

A. Factual Matrix of ST No. 286 of 2014 (First Trial)

As per the written informational *tehrir* (Ex. Ka-1) submitted by the informant Rambali at P.S. Rajesultanpur, on 13.06.2013 at approximately

11:30 AM, his *pattidars*, Mahaveer, Suryabali, Dilip, Pradeep, Manish, and Avanish were unlawfully plucking mangoes from an ancestral mango tree claimed by the informant. When the informant's son, Billu @ Mohanlal, intervened and objected, the accused persons collectively assaulted him with lathis, dandas, and split bamboo stalks (*phata bans*). When Rambali rushed to rescue his son, he was also beaten.

The assault allegedly caused Mohanlal to lose consciousness on the spot. The accused fled while hurling verbal abuses. Based on this information, Case Crime No. 99 of 2013 was registered under Sections 147, 323, 308, and 504 IPC. Investigating Officer SI Ram Lochan Singh Chauhan inspected the site, drew up the site map (Ex. Ka-7), recorded witness statements, collected medical files, and submitted the charge sheet (Ex. Ka-8).

B. Factual Matrix of ST No. 13 of 2025 (Cross-Case)

The cross-version was initiated by a written complaint from Suryabali, who stated that on 13.06.2013 at around 11:00 AM, his grandson Manish was harvesting mangoes from their family-owned tree. At that moment, the opposing party—comprising Rambali, Mohanlal, Karan, and Arjun—arrived armed with lathis, dandas, and sharp weapons, and began physically attacking Manish. When Suryabali and Mahaveer rushed to intervene, they were also beaten with lathis, stones, and a sharp axe (*kulhari*).

Initially, the local police registered this version as NCR No. 102 of 2013 under Sections 323 and 504 IPC. Suryabali subsequently filed an application under Section 155(2) CrPC before the competent Magistrate, who directed a full criminal investigation on 06.07.2013. During the investigation, upon evaluating the medical reports revealing structural fractures, the case was upgraded to include Sections 324 and 325 IPC. Following the inquiry, the Investigating Officer submitted a charge sheet (Ex. Ka-9) against the accused.

POINTS FOR DETERMINATION

1. **Point No. 1:** Whether the physical conflict between the two factions constitutes a classic case of a "**Free Fight**" arising from a sudden property dispute, thereby invalidating constructive or vicarious criminal liability under Sections 149 or 34 IPC across the board?
2. **Point No. 2:** Whether the prosecution in **ST No. 286/2014** has established beyond a reasonable doubt that the accused Mahaveer and Manish, in furtherance of a common intention, voluntarily

caused grievous hurt to Mohanlal, thereby warranting a conviction under Section 325/34 IPC instead of Section 308 IPC?

3. **Point No. 3:** Whether the accused Dilip, Pradeep, and Avanish in **ST No. 286/2014** are entitled to an acquittal due to a lack of injuries and the absence of specific overt acts against them?
4. **Point No. 4:** Whether the prosecution in **ST No. 13/2025** has proved beyond a reasonable doubt that the accused Rambali inflicted simple and grievous injuries on Manish, Suryabali, and Mahaveer using both blunt and sharp objects, rendering him liable under Sections 324 and 325 IPC?
5. **Point No. 5:** Whether the accused Karan in **ST No. 13/2025** has successfully established his plea of *alibi* and lack of physical participation, entitling him to an absolute acquittal?

DETAILED APPRECIATION OF EVIDENCE

To properly evaluate the cross-cases, this Court must carefully review the oral and documentary evidence presented in both trials.

I. Evidence Recorded in ST No. 286 of 2014

Oral Evidence

1. **PW-1 Rambali (Informant/Injured):** He stated that on 13.06.2013 at 11:30 AM, Mahaveer, Manish, and Avanish were plucking mangoes from his tree. When his son Mohanlal objected, they assaulted him with lathis and dandas. He stated that his son fell unconscious on the spot. During cross-examination, he admitted that the parties are brothers who have lived separately for thirty years without a formal deed of partition. **Crucially, he denied inflicting any injuries on the accused persons and claimed ignorance regarding how Suryabali, Mahaveer, or Manish sustained theirs.**
2. **PW-2 Mohanlal (Injured Eye-witness):** He testified that all six accused were plucking mangoes and attacked him with lathis, dandas, and bamboo pieces when he objected. He claimed he sustained a severe head injury and lost consciousness, only waking up three days later at the District Hospital in Faizabad. However, during cross-examination, he admitted: "*As soon as I reached the spot, Dilip struck me with a lathi, and I immediately lost consciousness. I do not know what happened after that.*" He further admitted that he did not see Suryabali, Manish, or Mahaveer being assaulted.

3. **PW-3 Harilal:** Cited as an independent eye-witness, he turned completely hostile, stating he was in New Delhi for medical treatment during the incident and knew nothing about the altercation.
4. **PW-4 Karan:** He stated that he was in Delhi at the time of the incident and returned home the following day. He provided hearsay information regarding the assault on his father and grandfather.
5. **PW-5 Dr. U.C. Tiwari (Radiologist, District Hospital Faizabad):** He proved the Scan report of Mohanlal (MLC supplementary) (Ex. Ka-2), identifying a *fracture of the right fronto-parietal bone*.
6. **PW-6 Dr. Pradeep Kumar (Orthopedic Surgeon, Ambedkar Nagar):** He proved the X-Ray reports of Mohanlal (Ex. Ka-3) and Rambali (Ex. Ka-4). He confirmed the structural fracture in Mohanlal's frontal and parietal skull bones but noted that Rambali's X-ray showed no bony fractures. Crucially, he stated that during his examination, Mohanlal's general condition was stable, and he was conscious.
7. **PW-7 Dr. Divyesh Baranwal (Medical Officer, CHC Jahangirganj):** He conducted the initial medico-legal examination of Mohanlal at 1:35 PM on the day of the incident. He noted 8 injuries, including five lacerated wounds on the head and face, an incised wound, a contusion, and an abrasion. Crucially, he testified under cross-examination that "*the injured Mohanlal was fully conscious during the examination*", though he was complaining of vomiting.

Medico-Legal Examination: Rambali

The medical examination of the injured **Rambali, son of Nathai**, was conducted at **2:00 PM**.

Description of Injury:

Injury No. 1: Lacerated wound measuring **1.5 cm x 0.5 cm** on the head, located **9 cm away from the right eyebrow**, bone-deep, with active bleeding.

Medical Opinion & Advice: The aforementioned injury was fresh and was caused by a blunt object (*Kunda-ala*). Keeping the said injury under observation, the injured was referred to the District Hospital, Ambedkar Nagar, for an X-ray and further treatment.

Medico-Legal Examination: Mohanlal

On the same day, he conducted the medical examination of **Mohanlal, son of Rambali**, at **1:35 PM**. The injured individual sustained the following injuries:

Description of Injuries:

Injury No.	Type of Injury	Dimensions & Location	Clinical Characteristics
1	Lacerated Wound	2 cm x 0.5 cm; on the head, 4 cm above the right eyebrow	Bone-deep, with active bleeding.
2	Lacerated Wound	2 cm x 0.5 cm; on the right temporal bone	Located 5 cm away from Injury No. 1.
3	Lacerated Wound	1 cm x 0.5 cm; on the anterior part of the head	Located 1 cm above the left eyebrow.
4	Lacerated Wound	1.5 cm x 0.5 cm	Located directly on the right eyebrow.
5	Lacerated Wound	1 cm x 0.5 cm; below the right eyebrow	Bone-deep.
6	Incised (Cut) Wound	1 cm x 0.5 cm; on the left elbow joint	Bone-deep.
7	Contusion (Bruise)	Covering an area of 10 cm	Located 13 cm above the right wrist joint.
8	Incised (Cut) Wound	2 cm x 0.5 cm; on the right forearm	Located 8 cm above the wrist joint.

Medical Opinion & Advice: Keeping Injury Nos. 1, 2, 3, 5, 6, 7, and 8 of the injured under observation, he was referred to the District Hospital for an X-ray. The injuries were fresh at the time of examination and were caused by a blunt object. These injuries were probably sustained at **11:30 AM on 13.06.2013**.

8.
- PW-8 Retd. SI Ram Lochan Singh Chauhan (Investigating Officer):** He proved the investigative steps, site map, and charge sheet. He admitted that both factions sustained injuries and that he had not investigated the cross-case, leaving him unable to determine which side was the initial aggressor.

II. Evidence Recorded in ST No. 13 of 2025

Oral Evidence

1. **PW-1 Manish Kumar (Injured/Eye-witness):** He stated under oath that on 13.06.2013 at 11:00 AM, while harvesting mangoes, Rambali, Mohanlal, Karan, and Arjun assaulted him with lathis and sharp weapons. When his grandfather Suryabali and Mahaveer tried to protect him, they were also attacked, resulting in a fracture to Mahaveer's nose. During cross-examination, he admitted that he was a regular student at PGDAV College, Delhi, but was present in the village on vacation. He also admitted that the disputed tree stood just yards from Rambali's back door.
2. **PW-2 Mahaveer Prasad (Injured/Eye-witness):** He corroborated the assault, stating that when Manish went to harvest mangoes, Rambali and Mohanlal attacked him. He specified that Mohanlal struck him with an axe (*kulhari*), while others threw bricks and stones. Crucially, during cross-examination, he admitted: *"Rambali's grandsons Karan and Arjun study in Delhi... It is correct that Case Crime No. 99 of 2013 is pending against us in this very court regarding the same incident."*
3. **PW-3 Dr. Divyesh Barnwal (Medical Officer):** He examined the cross-case victims on 13.06.2013. He found a bone-deep lacerated wound 2x.5 cm with bleeding on Suryabali's scalp, 8 cm from the root of the nose, and a contusion 5x2 cm on his left arm 9 cm from the left shoulder joint. On Manish Kumar, he found *two distinct incised wounds* 2x.5 cm on the temporal region (9 cm from the right ear and 2 cm below the injury No. 1) and an abrasion 1.5x.5 cm on the right cheek 4 cm from the right ear. On Mahaveer Prasad, he found an *incised wound* 3x.5 cm bone deep over the root of the nose with active bleeding.
4. **PW-4 HC Vijay Chand Yadav & PW-5 Retd. SI Satiram Yadav:** They proved the registration of the NCR, its subsequent conversion into a regular Case Crime, the site map, and the final charge sheet.
5. **PW-6 Dr. Pradeep Kumar (Orthopaedic Surgeon):** He proved Mahaveer Prasad's X-Ray report (Ex. Ka-10), which confirmed a *fracture of the nasal bone* without callus formation, indicating a fresh fracture matching the timeline of the fight.

LEGAL ANALYSIS & JURISPRUDENTIAL FINDINGS

Application of the "Free Fight" and "Aggressor" Doctrines

The evidence from both trials shows that both sides sustained significant injuries during the same incident, at the same location, and over the same disputed property. In such circumstances, the court must apply the legal doctrines of "**Free Fight**" and the "**Initial Aggressor**."

The "Aggressor Doctrine" applies when one party clearly initiates an unprovoked attack, allowing the defending party to claim the right of private defence under Sections 96 to 106 IPC. However, when a dispute over property leads both parties to confront each other armed and prepared for conflict, the situation shifts into a "Free Fight." In a free fight, both sides enter the conflict voluntarily, making it immaterial who struck the first blow. Consequently, neither party can claim the right of private defence.

The Hon'ble Supreme Court addressed this scenario in [Gajanand vs. State of U.P. \(AIR 1954 SC 695\)](#), ruling:

"when both sides mean to fight from the start, go out to fight and there is a pitched battle. The question of who attacks and who defends in such a fight is wholly immaterial and depends on the tactics adopted by the rival commanders"

A free fight arises when two armed groups, choice-bound, clash voluntarily over a disputed cause. In such a pitched battle, the shield of private defence is unavailable to both factions. Consequently, the concept of an unlawful assembly under Section 149 IPC collapses, as the common object gives way to individual mutual conflict. Every individual participant is criminally liable solely for the specific injuries they are proven to have caused.

In this case, both sides suffered head fractures and open wounds. Witnesses from both sides have systematically denied or minimised their own involvement while failing to explain the injuries sustained by the other party. This mutual concealment confirms that both factions participated in a free fight over the mango tree.

Therefore, the charges under Section 147 IPC and the application of vicarious liability under Section 149 IPC are legally unsustainable and are hereby dismissed for all accused persons. This Court must now evaluate the individual criminal liability of each accused based strictly on their specific, proven actions.

II. Adjudication of ST No. 286 of 2014 (State vs. Mahaveer & Others)

A. Alteration of Charge from Section 308 IPC to Section 325/34 IPC

The accused persons were tried under Section 308/149 IPC for attempting to commit culpable homicide. To sustain a conviction under

Section 308 IPC, the prosecution must prove that the accused acted with the intention or knowledge that their actions could cause death under circumstances that would amount to culpable homicide not amounting to murder.

The medical evidence and testimonies do not support this charge:

1. **PW-7 Dr. Divyesh Baranwal** explicitly stated that when he examined Mohanlal shortly after the incident, the patient was fully conscious with stable vitals.
2. **PW-6 Dr. Pradeep Kumar** confirmed that Mohanlal was conscious and coherent during his subsequent orthopaedic examination.
3. The weapons used were common lathis, dandas, and split bamboo sticks (*phata bans*), rather than inherently deadly weapons. This indicates a spontaneous agrarian clash rather than an attempt to commit culpable homicide.
4. The prosecution's claim that Mohanlal was rendered completely comatose for three days is contradicted by the medical experts. Therefore, the charge under Section 308 IPC must be dismissed.

However, the medical evidence clearly establishes that grievous hurt was inflicted. **The scan report (MLC supplementary) (Ex. Ka-2) and X-ray report (Ex. Ka-3) showed fractures to Mohanlal's frontal and parietal bones.** Under Section 320 (Seventhly) IPC, a bone fracture constitutes "grievous hurt."

The testimonies of PW-1 Rambali and PW-2 Mohanlal establish that **Mahaveer** and **Manish** were the individuals who directly confronted and struck the victims with blunt force during the dispute over the tree. Their joint actions at the scene demonstrate a common intention to inflict serious injury. Accordingly, Mahaveer and Manish are held liable under Section 325 read with Section 34 IPC for voluntarily causing grievous hurt.

B. Acquittal of Dilip, Pradeep, and Avanish

The record shows that the accused Dilip, Pradeep, and Avanish sustained no injuries during the altercation. PW-3 Harilal turned hostile, and the remaining testimonies provide only general, omnibus allegations against these three accused without attributing specific actions to them.

In a free fight scenario, where collective liability under Section 149 IPC does not apply, individual guilt cannot be inferred from mere presence. Local disputes in rural areas can lead to the exaggeration of complaints

and the false implication of innocent family members. Given the lack of injuries and specific evidence against them, Dilip, Pradeep, and Avanish are entitled to the benefit of the doubt and are acquitted of all charges.

III. Adjudication of ST No. 13 of 2025 (State vs. Rambali & Others)

A. Conviction of Rambali under Sections 324 and 325 IPC

The medical evidence presented by **PW-3 Dr. Divyesh Barnwal** and **PW-6 Dr. Pradeep Kumar** confirms the injuries sustained by the cross-case victims:

1. **Mahaveer Prasad** sustained a fractured nasal bone (Ex. Ka-10), which constitutes grievous hurt under Section 320 IPC.
2. **Manish Kumar** sustained two distinct incised wounds on his temporal region, which were caused by a sharp-edged instrument.

PW-1 Manish Kumar and **PW-2 Mahaveer Prasad** consistently identified **Rambali** as an active assailant who used force during the altercation. The medical findings of clean-cut incised wounds support the allegation that sharp objects, such as an axe (*articulately described as a kulhari by PW-2*), were used by Rambali's side.

Inflicting bone-deep incised wounds on a vital region like the skull using a sharp weapon satisfies the elements of Section 324 IPC. Causing a nasal bone fracture satisfies the elements of Section 325 IPC. Consequently, the accused Rambali is convicted under both Sections 324 and 325 IPC.

B. Absolute Acquittal of Karan via the Doctrine of Alibi

The accused **Karan** raised a defence of *alibi* under Section 11 of the Indian Evidence Act, asserting that he was studying in New Delhi at the time of the incident and was not present at the crime scene.

This defence is fully supported by admissions from the prosecution's own witnesses:

1. In ST No. 286/2014, **PW-4 Karan** testified under oath that he was in Delhi on the day of the incident and returned to the village only after being informed of the clash by his family.
2. In the cross-case (ST No. 13/2025), **PW-1 Manish Kumar** admitted during cross-examination: "It is correct that Karan and Arjun were studying in Delhi."
3. **PW-2 Mahaveer Prasad** also admitted during cross-examination: "Rambali's grandsons Karan and Arjun study in Delhi." Furthermore, Karan showed no signs of injury, which is highly improbable for someone alleged to have been an active participant

in a close-quarters mutual assault where most other participants were wounded.

4. The evidence indicates that Karan was falsely implicated solely due to his relationship to Rambali. His plea of *alibi* is established, and he is acquitted of all charges.

FINAL ORDER & VERDICT

In Session Trial No. 286 of 2014:

1. Accused **Mahaveer** and **Manish** are found **GUILTY** and are hereby **CONVICTED** under Section 325 read with Section 34 of the Indian Penal Code. They are **ACQUITTED** of the charges under Sections 147, 308/149, 323/149, and 504 IPC.
2. Accused **Dilip**, **Pradeep**, and **Avanish** are found **NOT GUILTY** and are hereby **ACQUITTED** of all charges. Their bail bonds are discharged.

In Session Trial No. 13 of 2025:

1. Accused **Rambali** is found **GUILTY** and is hereby **CONVICTED** under Sections 324 and 325 of the Indian Penal Code. He is **ACQUITTED** of the charges under Sections 323 and 504 IPC.
2. Accused **Karan** is found **NOT GUILTY** and is hereby **ACQUITTED** of all charges. His bail bonds stand discharged.

Parties sought time to argue on the quantum of sentence that is allowed. Accused be taken into custody and sent to jail. Put up on Date: July 8, 2026, for a hearing on the sentence.

Date: July 7, 2026

(Chandroday Kumar)

Sessions Judge

Ambedkar Nagar (JO Code: UP06553)

Date: July 8, 2026

ORDER ON SENTENCE

Heard both sides on the quantum of sentence. The convicts are rural co-sharers with no prior criminal record, and the offences arose from a sudden conflict over undivided ancestral property. The incident took place long ago in the year 2014, and the parties suffered for a long time. No incident between the parties has been reported after the incident.

Balancing the goals of deterrence and rehabilitation, the court imposes the following sentences:

Sentences in ST No. 286 of 2014:

1. **Convict Mahaveer:** Sentenced to **Rigorous Imprisonment for 3 years** under Section 325/34 IPC and a fine of **₹3,000**. In default of payment, he shall undergo 2 months of simple imprisonment.
2. **Convict Manish:** Sentenced to **Rigorous Imprisonment for 2 years** under Section 325/34 IPC and a fine of **₹3,000**. In default of payment, he shall undergo 2 months of simple imprisonment.

Sentences in ST No. 13 of 2025:

Convict Rambali:

1. Under Section 325 IPC: Sentenced to **Rigorous Imprisonment for 3 years** and a fine of **₹3,000**. In default of payment, he shall undergo 2 months of simple imprisonment.
2. Under Section 324 IPC: Sentenced to **Rigorous Imprisonment for 1 year** and a fine of **₹2,000**. In default of payment, he shall undergo 1 month of simple imprisonment.

Execution Parameters:

1. The substantive prison sentences imposed on convict Rambali shall run **concurrently**.
2. Any period of detention already undergone by the convicts during the investigation or trial shall be set off against their substantive sentences in accordance with Section 428 CrPC.

A certified copy of this judgment shall be placed in the case file of Session Trial No. 13 of 2025 for the record.

Judgment pronounced, signed, and dated in open Court today.

(Chandroday Kumar)

Sessions Judge,

Ambedkar Nagar (JO Code: UP06553)

Date: July 8, 2026

In accordance with the guidelines of the Hon'ble Supreme Court in [Manojbhai Jethabhai Parmar \(Rohit\) vs The State Of Gujarat \(2025 INSC 1433\)](#), emphasising structured uniformity and data legibility in criminal judgments, the entire oral, documentary, and medical evidence for both cross-cases (**Session Trial No. 286 of 2014** and **Session Trial No. 13 of 2025**) is compiled below in comprehensive, tabulated charts.

I. ORAL EVIDENCE MASTER CHART (PROSECUTION WITNESSES)

A. Witnesses in ST No. 286 of 2014 (State vs. Mahaveer & Others)

Witness Deposition	Category / Type of Witness	Key Substantive Testimony & Core Admissions
PW-1: Rambali	Informant / Injured Witness Eye-	Testified that Mahaveer, Manish, and Avanish were plucking mangoes from his tree and assaulted his son Mohanlal with lathis and dandas. Admitted during cross-examination that the parties are brothers living separately without a formal partition deed. Denied seeing or causing any injuries to the accused persons.
PW-2: Mohanlal	Injured Witness Eye-	Stated that all six accused attacked him with lathis, dandas, and bamboo pieces, causing him to lose consciousness. Admitted in cross-examination that Dilip struck him first and he fell unconscious within five minutes, meaning he did not see the subsequent events or how the accused were injured.
PW-3: Harilal	Independent Witness	Turned completely hostile. Testified that he was in New Delhi for medical treatment at the time of the incident and has no personal knowledge of the conflict.
PW-4: Karan	Hearsay Witness	Testified that he was physically present in New Delhi during the incident and returned to the village the following day. Offered corroborative hearsay details regarding the injuries to his father and grandfather.
PW-5: Dr. U.C. Tiwari	Expert Medical Witness (Radiologist)	Proved the Scan Report of Mohanlal (Ex. Ka-2). Confirmed a definitive fracture of the right fronto-parietal bone of the skull.

Witness Deposition	Category / Type of Witness	Key Substantive Testimony & Core Admissions
PW-6: Dr. Pradeep Kumar	Expert Medical Witness (Orthopaedic Surgeon)	* Proved the X-Ray reports of Mohanlal (Ex. Ka-3) and Rambali (Ex. Ka-4). Confirmed the skull fractures on Mohanlal but noted that Rambali had no bony fractures. Stated that Mohanlal was conscious and stable during the radiological reference.
PW-7: Dr. Divyesh Baranwal	Expert Medical Witness (Examining Doctor)	Proved the initial medico-legal injuries of Mohanlal (Ex. Ka-6) and Rambali (Ex. Ka-5). Explicitly admitted under cross-examination that both injured persons were fully conscious ("<i>poore hoosho hawas mein</i>") during the examination.
PW-8: Retd. SI Ram Lochan Singh	Investigating Officer (IO)	Proved the investigation timeline, the site map (Ex. Ka-7), and the charge sheet (Ex. Ka-8). Admitted that both sides were injured, but he only investigated one version and could not determine the initial aggressor.

B. Witnesses in ST No. 13 of 2025 (State vs. Rambali & Others - Cross-Case)

Witness Deposition	Category / Type of Witness	Key Substantive Testimony & Core Admissions
PW-1: Manish Kumar	Injured Eye-Witness	Testified that while plucking mangoes, Rambali, Mohanlal, Karan, and Arjun assaulted him with lathis and sharp-edged weapons. Admitted that he is a regular student at PGDAV College, Delhi, but was home on vacation. Confirmed the tree is located very close to Rambali's back door.

Witness Deposition	Category / Type of Witness	Key Substantive Testimony & Core Admissions
PW-2: Mahaveer Prasad	Injured Witness Eye-	Stated that when he went to rescue Manish, Mohanlal struck him with an axe (<i>kulhari</i>) while others threw bricks and stones. Crucially admitted that the cross-case (ST 286/2014) was running simultaneously against his own faction. Admitted that Rambali's grandsons Karan and Arjun, study in Delhi.
PW-3: Dr. Divyesh Barnwal	Expert Witness (Examining Doctor) Medical	Proved the initial injury reports of Suryabali (Ex. Ka-2), Manish (Ex. Ka-3), and Mahaveer (Ex. Ka-4). Noted clean-cut incised wounds on Manish and Mahaveer, establishing the use of a sharp-edged tool.
PW-4: HC Vijay Chand Yadav	Formal Witness (Head Clerk)	Proved the registration of the original NCR No. 102 of 2013 (Ex. Ka-5). Proved the GD entries for case registration (Ex. Ka-6) and its later amendment into regular sections (Ex. Ka-7).
PW-5: Retd. SI Satiram Yadav	Investigating Officer (IO)	Conducted the investigation under the Magistrate's Section 155(2) CrPC order. Proved the site map (Ex. Ka-8) and the subsequent charge sheet (Ex. Ka-9). Admitted he did not cross-verify the entries of Case Crime No. 99 of 2013.
PW-6: Dr. Pradeep Kumar	Expert Witness (Orthopaedic Surgeon) Medical	Proved the supplementary X-Ray report of Mahaveer Prasad (Ex. Ka-10). Confirmed a fresh fracture of the nasal bone without any callus formation.

II. DOCUMENTARY EVIDENCE & EXHIBITS CHART

Exhibit Number	Document Description	Proving Witness	Case Trial Reference
Ex. Ka-1	Written Complaint / Informational <i>Tehrir</i>	PW-1 Rambali	ST No. 286 of 2014
Ex. Ka-2	Brain/Head Scan Report (Mohanlal)	PW-5 Dr. U.C. Tiwari	ST No. 286 of 2014
Ex. Ka-3	Skull Cranium X-Ray Report (Mohanlal)	PW-6 Dr. Pradeep Kumar	ST No. 286 of 2014
Ex. Ka-4	Cranium X-Ray Report (Rambali)	PW-6 Dr. Pradeep Kumar	ST No. 286 of 2014
Ex. Ka-5	Medico-Legal Injury Report (Rambali)	PW-7 Dr. Divyesh Baranwal	ST No. 286 of 2014
Ex. Ka-6	Medico-Legal Injury Report (Mohanlal)	PW-7 Dr. Divyesh Baranwal	ST No. 286 of 2014
Ex. Ka-7	Investigative Site Map (<i>Naksha Nazri</i>)	PW-8 Retd. SI R.L. Singh	ST No. 286 of 2014
Ex. Ka-8	Final Police Charge Sheet	PW-8 Retd. SI R.L. Singh	ST No. 286 of 2014
Ex. Ka-9	Original Carbon Check FIR	PW-8 Retd. SI R.L. Singh	ST No. 286 of 2014
Ex. Ka-10	General Diary (GD) Entry of Registration	PW-8 Retd. SI R.L. Singh	ST No. 286 of 2014
Ex. Ka-1	Section 155(2) CrPC Investigation Application	PW-1 Manish Kumar	ST No. 13 of 2025
Ex. Ka-2	Medico-Legal Injury Report (Suryabali)	PW-3 Dr. Divyesh Barnwal	ST No. 13 of 2025
Ex. Ka-3	Medico-Legal Injury Report (Manish Kumar)	PW-3 Dr. Divyesh Barnwal	ST No. 13 of 2025
Ex. Ka-4	Medico-Legal Injury Report (Mahaveer Prasad)	PW-3 Dr. Divyesh Barnwal	ST No. 13 of 2025

Exhibit Number	Document Description	Proving Witness	Case Trial Reference
Ex. Ka-5	Certified Copy of Original NCR No. 102/2013	PW-4 HC Vijay Chand Yadav	ST No. 13 of 2025
Ex. Ka-6	General Diary (GD) Case Inception Entry	PW-4 HC Vijay Chand Yadav	ST No. 13 of 2025
Ex. Ka-7	GD Entry for Section Amendment (<i>Tarmeem</i>)	PW-4 HC Vijay Chand Yadav	ST No. 13 of 2025
Ex. Ka-8	Investigative Site Map (<i>Naksha Nazri</i>)	PW-5 Retd. SI Satiram Yadav	ST No. 13 of 2025
Ex. Ka-9	Final Police Charge Sheet	PW-5 Retd. SI Satiram Yadav	ST No. 13 of 2025
Ex. Ka-10	Visually Corroborated X-Ray Report (Mahaveer)	PW-6 Dr. Pradeep Kumar	ST No. 13 of 2025

III. MEDICAL EVIDENCE SUMMARY CHART (INJURIES & CLINICAL FINDINGS)

This clinical matrix directly supports the court's finding of a **Free Fight** by demonstrating that members of both factions sustained matching injuries during the same encounter.

AGRARIAN PROPERTY DISPUTE SITE			
▼		▼	
FACTION A INJURIES (ST No. 286 of 2014)		FACTION B INJURIES (ST No. 13 of 2025)	
• Mohanlal: Fronto-parietal bone fracture (Grievous) • Rambali: Scalp laceration extending to bone		• Mahaveer: Nasal bone fracture (Grievous) • Manish: Two temporal incised wounds (Sharp weapon)	
Injured Person & Faction	Specific Injuries Noted on Examination	Weapon Classification Indicated	Final Nature of Injury & Bony Damage
Mohanlal (Faction A)	5 lacerated wounds on the cranium/scalp and face. 1 incised wound on the right forearm.	Blunt object (Lathi/Danda) & Sharp weapon	Grievous. X-Ray confirmed a structural fracture of the frontal and parietal bones.

Injured Person & Faction	Specific Injuries Noted on Examination	Weapon Classification Indicated	Final Nature of Injury & Bony Damage
	Multiple contusions and abrasions on limbs.		
Rambali (Faction A)	1 lacerated wound measuring 1.5 cm x 0.5 cm on the scalp, located 9 cm from the right eyebrow.	Blunt object (Lathi/Danda)	Simple. The wound extended to the bone, but radiology confirmed no structural fracture.
Mahaveer Prasad (Faction B)	1 incised wound measuring 3 cm x 0.5 cm over the root of the nose with active bleeding.	Sharp cutting tool (Axe/Kulhari)	Grievous. Supplementary X-ray confirmed a fracture of the nasal bone.
Manish Kumar (Faction B)	2 bone-deep incised wounds on the temporal region (9 cm and 2 cm from the right ear). 1 abrasion on the right cheek.	Sharp weapon & Blunt force	Simple. Incised injuries on the skull without underlying bony damage or fracture.
Suryabali (Faction B)	1 bone-deep lacerated wound on the scalp. * 1 contusion on the left arm.	Blunt object (Lathi/Danda)	Simple. No radiological intervention or skeletal fracture identified.

IV. THE ACCUSED PARTICIPATION & FINAL VERDICT CHART

Name of Accused Person	Case Reference	Specific Allegations & Injury Links	Established Legal Defence / Factor	Final Adjudication & Action Taken
Mahaveer	ST 286/2014	Identified as a direct	Left-side private	CONVINCED under Section 325/34 IPC.

Name of Accused Person	Case Reference	Specific Allegations & Injury Links	Established Legal Defence / Factor	Final Adjudication & Action Taken
		participant who inflicted blunt force injuries on Mohanlal.	defence rejected due to participation in a "Free Fight".	
Manish	ST 286/2014	Actively participated with Mahaveer in the physical confrontation at the tree.	Mutuality of confrontation rejects the application of Section 149 IPC.	CONVINCED under Section 325/34 IPC.
Dilip	ST 286/2014	Named generally; no specific injuries or overt acts proven against him.	Uninjured; independent public witnesses failed to corroborate his presence.	ACQUITTED of all charges.
Pradeep	ST 286/2014	Named generally without specific individual allegations.	Uninjured; continuous omission of specific operational roles.	ACQUITTED of all charges.
Avanish	ST 286/2014	Mentioned generally in the initial <i>tehrir</i> .	Uninjured; independent witness PW-3 turned hostile.	ACQUITTED of all charges.
Rambali	ST 13/2025	Directly linked to the incised wounds and nasal fracture on the opposite party.	"Free Fight" principles apply; individual liability established via sharp weapons.	CONVINCED under Sections 324 and 325 IPC.

Name of Accused Person	Case Reference	Specific Allegations & Injury Links	Established Legal Defence / Factor	Final Adjudication & Action Taken
Karan	ST 13/2025	Named as an armed assailant in the cross-case report.	Successfully proved an Alibi . Confirmed to be studying in Delhi; uninjured.	

(Chandroday Kumar)
Sessions Judge,
Ambedkar Nagar (JO Code: UP06553)
Date: July 8, 2026