



2026:CGHC:9155



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HIGH COURT OF CHHATTISGARH AT BILASPUR

Judgment Reserved on 16.12.2025

Judgment Delivered on 20.02.2026

Uploaded on 20.02.2026

CRA No. 2117 of 2024

Nilesh Raniwal S/o Shri Suraj Raniwal, Aged About 23 Years R/o Kedarwadi, Ward No. - 3, Police Station - Dongargarh, District - Rajnandgaon, Chhattisgarh.

... Appellant(s)

versus

State Of Chhattisgarh Through The District Magistrate, Rajnandgaon, District - Rajnandgaon, Chhattisgarh.

--- Respondent(s)

For Appellant	: Mr. B.P. Singh, Advocate
For Respondent/State	: Mr. Ajit Singh, G.A.

Hon'ble Shri Arvind Kumar Verma, Judge
CAV Order

1. This criminal appeal preferred under Section 415(2) of the Bhartiya Nagrik Suraksha Sanhita is directed against the impugned judgment of conviction and order of sentence dated 28.09.2024, passed by the learned Additional/Upper Sessions Judge Dongargarh District Rajnandgao (C.G.) in Session Trial No. 12/2022, whereby the appellant has been convicted and sentenced as under:



<u>Conviction</u>	<u>Sentence</u>
Section 306 of IPC	R.I. for 7 years and fine of Rs. 1,000/-, in default of payment of fine, 06 months S.I.
Section 506 of IPC	R.I. for 6 months and fine of Rs. 500/-, in default of payment of fine, 01 month S.I.

2. Brief facts of the case are that, on 01.02.2022 at about 12:30 PM, Kumari Shweta Sahu started vomiting at her residence. Upon being questioned by her family members, she disclosed that a person named Nilesh Raniwal had been editing her photographs and circulating them, thereby defaming her and subjecting her to mental harassment. She further stated that the said person had threatened to kill her family if she reported the matter to the police or disclosed it to anyone. Due to such mental harassment, she consumed a cleaning chemical kept in a white-colored container at her house and handed over to her family members a suicide note taken out from her pocket. Considering her critical condition, the family members called the 108 Ambulance and took her for treatment to Tappa Hospital, from where she was referred to the Medical College, Rajnandgaon. Thereafter, on 01.02.2022 at about 10:30 PM, she was further referred and admitted to Mekahara Hospital, Raipur. During the course of treatment, Kumari Shweta Sahu succumbed on 08.02.2022 at about 7:00 PM. On the basis of the hospital memo, a merg was registered at Police Station Maudhapara, District Raipur, vide Merg No. 0/97/2022 under Section 174 of the Code of Criminal Procedure, and inquest proceedings were



conducted. Since the place of occurrence fell within the jurisdiction of Police Outpost Chichola, upon receipt of the unnumbered merg diary from Police Station Maudhapara, the original Merg No. 37/2022 under Section 174 CrPC was registered at Police Outpost Chichola, and the matter was taken up for investigation. During investigation, it was found that the deceased had died due to consumption of poison. The dying declaration of the deceased, the suicide note, and the statements of her parents and other witnesses were recorded. Upon such inquiry, it was found that the accused had abetted the commission of suicide, issued threats to kill, and outraged the modesty of a woman through mobile communication. Accordingly, an offence was registered against the accused Nilesh Raniwal, vide Crime No. 226/2022, and the case was taken up for further investigation.

3. During the course of investigation, upon tracing and locating the accused Nilesh Raniwal, he was interrogated and, upon admitting his involvement in the offence, and there being sufficient evidence available in respect of the offences alleged, the accused was arrested and the requisite arrest memo proceedings were completed. During investigation, the viscera seized in the case was sent for chemical examination, and the report received indicated the presence of the herbicide *paraquat*. Further, a spot map (Patwari Nazri Naksha) was prepared. Upon completion of the entire investigation, the charge-sheet in Crime No. 226/2022 for offences punishable under Sections 306, 506, 509(B) and 354(B) of the Indian Penal Code was filed in the Court of the learned Judicial Magistrate First Class, Dongargarh.

4. In order to bring home the offence, the prosecution examined as



many as 22 witnesses and exhibited documents in support of case of the prosecution. The appellant has neither examined any witness in his defence nor exhibited any document.

5. Statement of accused was recorded under Section 313 of the Cr.P.C. in which he denied all the circumstances appearing against him and stated that he is innocent and has been falsely implicated. The defence has neither examined any witness nor has exhibited any document.

6. After appreciation of oral as well as documentary evidence produced by the prosecution, the learned trial Court has convicted the appellant and sentenced him as mentioned in paragraph 02 of this judgment. Hence this appeal.

7. Learned counsel for the appellant submitted that the alleged incident of consumption of poison occurred on 01.02.2022, whereas the deceased expired on 08.02.2022, but the FIR came to be lodged only on 03.06.2022, after an inordinate delay of nearly four months. The only explanation assigned for such delay is pendency of marginal enquiry, which by itself is neither satisfactory nor convincing. Such unexplained delay strikes at the root of the prosecution case and renders it vulnerable to embellishment and afterthought.

8. It is further submitted by the learned counsel for the appellant that even if the prosecution evidence is taken at its face value, there is no proximate or live nexus between the alleged acts attributed to the appellant and the commission of suicide by the deceased. The evidence of the parents of the deceased clearly shows that the



photographs in question were neither obscene nor original and were allegedly edited. In the absence of any immediate provocation or direct instigation, the essential ingredients of abetment under Section 306 IPC are not satisfied.

9. Learned counsel for the appellant further submitted that despite having knowledge about the alleged photographs as early as 28.01.2022, the father of the deceased admittedly remained silent and did not lodge any complaint till 01.02.2022. The deceased continued to reside at home during 29.01.2022 to 31.01.2022, her conduct was normal, and she performed her routine work without any visible distress. Such conduct is wholly inconsistent with the prosecution theory of sustained mental harassment compelling suicide. It is submitted that the dying declaration (Exhibit P/16) suffers from serious infirmities. The same was recorded without obtaining any medical certification regarding the fitness of the deceased, no doctor was present at the time of recording, and no independent witness was associated, despite the declaration having been recorded in a general ward. The recording officer himself admitted that the statement was translated by him. Thus, the dying declaration is unsafe to rely upon.

10. Learned counsel for the appellant further submitted that the investigation is patently defective. The alleged insecticide container was not seized from the spot, the mobile phone through which the photographs were allegedly circulated on Telegram was not seized at the initial stage, and the origin of the photographs remains untraced. Further, interpolation in the date of incident in the spot map and overwriting on the suicide note materially affect the credibility of the



prosecution case. It is submitted that the suicide note (Exhibit P/4) does not mention any specific date, time, or act of instigation by the appellant. A bald allegation of mental harassment, without particulars or proximity, is insufficient in law to constitute abetment. The deceased was a major and a college-going student who had the option to approach the police, which she admittedly did not do. Learned counsel further submits that the evidence of prosecution witnesses indicates a long-standing consensual relationship between the appellant and the deceased. Some of the photographs were admitted to be selfies, which rules out coercion. The possibility of third-party circulation of edited photographs through Telegram cannot be ruled out, especially when the prosecution itself has failed to establish the source of the images.

11. Learned counsel for the appellant, placing reliance on **Madan Mohan Singh v. State of Gujarat & Anr.**, (2010) 8 SCC 628, **Amlendu Pal @ Jhantu v. State of West Bengal**, (2010) 1 SCC 707, **Arjun Panditrao Khutkar v. Kailash Kushanrao Gorantyal & Ors.**, (2020) 7 SCC 1, **Prakash & Ors. v. State of Maharashtra & Anr.**, 2024 SCC OnLine SC 3835, **Patel Babubhai Manohardas & Ors. v. State of Gujarat**, 2025 LiveLaw (SC) 288, and **R. Shashrekha v. State of Karnataka & Ors.**, 2025 SAR (Cri) 559, submits that conviction under Section 306 IPC cannot be sustained unless the prosecution proves a clear mens rea and a proximate, live nexus between a positive act of intentional instigation or active aiding by the accused and the suicide; that mere allegations of harassment, strained relations, or a bald suicide note without particulars do not amount to abetment; that liability cannot be fastened on the basis of



the deceased's hypersensitivity or emotional distress; that electronic evidence must be duly sourced and proved in accordance with law. The prosecution evidence in the present case falls short of the statutory threshold, entitling the appellant to acquittal.

12. Learned State counsel, opposing the appeal, submitted that the prosecution has successfully established the guilt of the appellant beyond reasonable doubt by cogent oral, documentary, and circumstantial evidence, demonstrating that the appellant continuously harassed the deceased by circulating her photographs, issuing threats, and causing grave mental trauma, which ultimately compelled her to commit suicide; it is argued that the suicide note, the dying declaration, and the consistent testimony of the parents of the deceased clearly attribute responsibility to the appellant and establish a direct and proximate nexus between his acts and the suicide. Learned State counsel further submitted that mere delay in lodging the FIR is not fatal in cases arising out of death after prolonged medical treatment and marginal enquiry, particularly when the delay stands reasonably explained; reliance is placed on the settled principle that each case under Section 306 IPC must be examined on its own facts, and when the conduct of the accused is such that it leaves the deceased with no reasonable alternative except to end her life, the offence of abetment is clearly made out; learned State counsel therefore submits that the findings recorded by the trial court are well-reasoned, based on proper appreciation of evidence, and do not warrant interference, and the appeal deserves to be dismissed.

13. We have heard learned counsel for the parties and perused the



record of the trial Court with utmost circumspection.

14. The conviction of the appellant has been substantially based on the suicide note (Ex. P-4) and the dying declaration (Ex. P-16), duly supported by the medical and ocular evidence on record, including the testimony of the Executive Magistrate Lakheshwar Kiran (PW-7), who recorded the dying declaration after being informed that the deceased Shweta Sahu was in a fit mental condition to give her statement, and the medical evidence of the doctors, including Dr. Danial Peter (PW-4) and Dr. Neeta Karnawat (PW-11), which establishes that the deceased had consumed poison and remained conscious for a sufficient period; the prosecution case is further corroborated by the consistent evidence of Roshan Lal Sahu (PW-3), Gayatri Bai (PW-5), Seema Sahu (PW-6), Dinesh Kumar Sahu (PW-21) and other family witnesses, who have categorically stated that prior to consuming poison the deceased had disclosed that the appellant had harassed her, threatened her and humiliated her by circulating her edited and objectionable photographs on Telegram, thereby subjecting her to extreme mental cruelty; the said version also finds support from the recovery of the suicide note, forensic examination confirming it to be in the handwriting of the deceased, seizure of objectionable photographs and mobile phones, and the cyber forensic report, which collectively establish the active and proximate role of the appellant in abetting the commission of suicide by Shweta Sahu, notwithstanding minor discrepancies or lack of full corroboration by some seizure or memorandum witnesses.

15. The first question for consideration would be, whether the trial Court was justified in holding that the death of the deceased Shweta



Sahu was the result of suicide by consumption of poison, allegedly abetted by the acts of the accused.

16. The trial Court, after appreciating the oral and documentary evidence available on record, particularly relying upon the medical evidence of Dr. Danial Peter (PW-04), who initially examined the deceased and recorded a history of consumption of “Parastom” insecticide, and Dr. Neeta Karnawat (PW-11), who proved the treatment record of the deceased at Dr. B.R. Ambedkar Hospital, Raipur and intimated her death on 08.02.2022, as well as the post-mortem report (Ex. P-8), has clearly come to the conclusion that the death of the deceased Shweta Sahu was not homicidal in nature but was the result of consumption of poison. The medical evidence further establishes that viscera was preserved for chemical examination and that the symptoms found on the body were consistent with poisoning, though no definite opinion as to the exact poison was expressed. The said finding recorded by the trial Court is a pure finding of fact, based on cogent medical and documentary evidence available on record, and is neither perverse nor contrary to the material on record. Even otherwise, the nature of death as suicidal by poisoning has not been seriously disputed before this Court. We, therefore, affirm the finding of the trial Court that the death of the deceased Shweta Sahu was suicidal.

17. At this stage, it would be appropriate to notice Section 32 (1) of the Evidence Act which states as under: -

“32. Cases in which statement of relevant fact by person who is dead or cannot be



found, etc., is relevant.—Statements, written or verbal, of relevant facts made by a person who is dead, or who cannot be found, or who has become incapable of giving evidence, or whose attendance cannot be procured without an amount of delay or expense which, under the circumstances of the case, appears to the Court unreasonable, are themselves relevant facts in the following cases:—

(1) when it relates to cause of death.—When the statement is made by a person as to the cause of his death, or as to any of the circumstances of the transaction which resulted in his death, in cases in which the cause of that person's death comes into question.

Such statements are relevant whether the person who made them was or was not, at the time when they were made, under expectation of death, and whatever may be the nature of the proceeding in which the cause of his death comes into question.

xxx xxx xxx”

18. The general ground of admissibility of the evidence mentioned in Section 32(1) of the Evidence Act is that in the matter in question, no better evidence is to be had. The provisions in Section 32(1) constitute further exceptions to the rule which exclude hearsay. As a general rule, oral evidence must be direct (Section 60). The eight clauses of Section 32 may be regarded as exceptions to it, which are mainly based on two conditions: a necessity for the evidence and a circumstantial guarantee



of trustworthiness. Hearsay is excluded because it is considered not sufficiently trustworthy. It is rejected because it lacks the sanction of the tests applied to admissible evidence, namely, the oath and cross-examination. But where there are special circumstances which gives a guarantee of trustworthiness to the testimony, it is admitted even though it comes from a second-hand source. The Supreme Court emphasized on the principle enumerated in the famous legal maxim of the Law of Evidence, i.e., *nemo moriturus praesumitur mentire* which means a man will not meet his Maker with a lie in his mouth. Our Indian Law also recognizes this fact that “a dying man seldom lies” or in other words “truth sits upon the lips of a dying man”. The relevance of this very fact, is an exception to the rule of hearsay evidence. 12. Section 32(1) of the Evidence Act is famously referred to as the “dying declaration” section, although the said phrase itself does not find mention under the Evidence Act. Their Lordships of the Supreme Court have considered the scope and ambit of Section 32 of the Evidence Act, particularly, Section 32(1) on various occasions including in the matter of ***Sharad Birdhichand Sarda v. State of Maharashtra***, reported in **(1984) 4 SCC 116** in which their Lordships have summarised the principles enumerated in Section 32(1) of the Evidence Act, including relating to “circumstances of the transaction”, which are as under: -

“21. Thus, from a review of the authorities mentioned above and the clear language of Section 32(1) of the Evidence Act, the following propositions emerge:-

(1) Section 32 is an exception to the



rule of hearsay and makes admissible the statement of a person who dies, whether the death is a homicide or a suicide, provided the statement relates to the cause of death, or exhibits circumstances leading to the death. In this respect, as indicated above, the Indian Evidence Act, in view of the peculiar conditions of our society and the diverse nature and character of our people, has thought it necessary to widen the sphere of Section 32 to avoid injustice.

(2) The test of proximity cannot be too literally construed and practically reduced to a cut-and-dried formula of universal application so as to be confined in a straitjacket. Distance of time would depend or vary with the circumstances of each case. For instance, where death is a logical culmination of a continuous drama long in process and is, as it were, a finale of the story, the statement regarding each step directly connected with the end of the drama would be admissible because the entire statement would have to be read as an organic whole and not torn from the context. Sometimes statements relevant to or furnishing an immediate motive may also be admissible as being a part of the transaction of death. It is manifest that all these statements come to light only



after the death of the deceased who speaks from death. For instance, where the death takes place within a very short time of the marriage or the distance of time is not spread over more than 3-4 months the statement may be admissible under Section 32.

(3) The second part of clause (1) of Section 32 is yet another exception to the rule that in criminal law the evidence of a person who was not being subjected to or given an opportunity of being cross-examined by the accused, would be valueless because the place of cross-examination is taken by the solemnity and sanctity of oath for the simple reason that a person on the verge of death is not likely to make a false statement unless there is strong evidence to show that the statement was secured either by prompting or tutoring.

(4) It may be important to note that Section 32 does not speak of homicide alone but includes suicide also, hence all the circumstances which may be relevant to prove a case of homicide would be equally relevant to prove a case of suicide.

(5) Where the main evidence consists of statements and letters written by the deceased which are directly connected with or related to



her death and which reveal a tell-tale story, the said statement would clearly fall within the four corners of Section 32 and, therefore, admissible. The distance of time alone in such cases would not make the statement irrelevant.”

19. In the matter of ***Purshottam Chopra and another v. State (Government of NCT of Delhi)***, reported in (2020) 11 SCC 489, principles relating to recording of dying declaration and its admissibility and reliability were summed up in paragraph 21 as under: -

“21. For what has been noticed hereinabove, some of the principles relating to recording of dying declaration and its admissibility and reliability could be usefully summed up as under:- 21.1. A dying declaration could be the sole basis of conviction even without corroboration, if it inspires confidence of the court.

21.2. The court should be satisfied that the declarant was in a fit state of mind at the time of making the statement; and that it was a voluntary statement, which was not the result of tutoring, prompting or imagination.

21.3. Where a dying declaration is suspicious or is suffering from any infirmity such as want of fit state of mind of the declarant or of like nature, it should not be acted upon without corroborative evidence.

21.4. When the eyewitnesses affirm that the deceased was not in a fit and conscious



state to make the statement, the medical opinion cannot prevail.

21.5. The law does not provide as to who could record dying declaration nor there is any prescribed format or procedure for the same but the person recording dying declaration must be satisfied that the maker is in a fit state of mind and is capable of making the statement.

21.6. Although presence of a Magistrate is not absolutely necessary for recording of a dying declaration but to ensure authenticity and credibility, it is expected that a Magistrate be requested to record such dying declaration and/or attestation be obtained from other persons present at the time of recording the dying declaration.

21.7. As regards a burns case, the percentage and degree of burns would not, by itself, be decisive of the credibility of dying declaration; and the decisive factor would be the quality of evidence about the fit and conscious state of the declarant to make the statement. 21.8. If after careful scrutiny, the court finds the statement placed as dying declaration to be voluntary and also finds it coherent and consistent, there is no legal impediment in recording conviction on its basis even without corroboration.”

20. In addition to this, a Constitution Bench of the Supreme Court in the matter of ***Laxman v. State of Maharashtra***, reported in (2002) 6 SCC 710 has clearly held that a certification by the doctor is essentially



a rule of caution and therefore the voluntary and truthful nature of the declaration can be established otherwise. Their Lordships held in paragraph 5 of the report as under: -

“5. The Court also in the aforesaid case relied upon the decision of this Court in *Harjit Kaur v. State of Punjab* [(1999) 6 SCC 545] wherein the Magistrate in his evidence had stated that he had ascertained from the doctor whether she was in a fit condition to make a statement and obtained an endorsement to that effect and merely because an endorsement was made not on the declaration but on the application would not render the dying declaration suspicious in any manner. For the reasons already indicated earlier, we have no hesitation in coming to the conclusion that the observations of this Court in *Paparambaka Rosamma v. State of A.P.* [(1999) 7 SCC 695] (at SCC p. 701, para 8) to the effect that "in the absence of a medical certification that the injured was in a fit state of mind at the time of making the declaration, it would be very much risky to accept the subjective satisfaction of a Magistrate who opined that the injured was in a fit state of mind at the time of making a declaration" has been too broadly stated and is not the correct enunciation of law. It is indeed a hypertechnical view that the certification of the doctor was to the effect that the patient is conscious and there was no certification that the patient was in a fit state of mind specially when the Magistrate categorically stated in



his evidence indicating the questions he had put to the patient and from the answers elicited was satisfied that the patient was in a fit state of mind where after he recorded the dying declaration. Therefore, the judgment of this court in *Paparambaka Rosamma* (supra) must be held to be not correctly decided and we affirm the law laid down by this Court in *Koli Chunilal Savji v. State of Gujarat* [(1999) 9 SCC 562].

21. The Supreme Court in the matter of ***Jagbir Singh v. State (NCT of Delhi)***, reported in **(2019) 8 SCC 779** following the principle of law laid down in ***Laxman*** (supra) has clearly held that even absence of the certificate by a doctor is not fatal to act upon a dying declaration, however, the requirement remains that the person who records dying declaration must ensure that the patient was in a fit condition, both mentally and physically, to give the declaration.

22. Returning to the facts of the present case in the light of the principles of law laid down by the Hon'ble Supreme Court in the aforesaid judgments, it is manifestly clear that prior to recording the dying declaration of the deceased Shweta Sahu, the attending doctor had certified that she was in a fit physical and mental condition to give her statement. The dying declaration (Ex. P-16) of the deceased was thereafter recorded on 02.02.2022 by the Executive Magistrate/Lakheshwar Kiran (PW-07) at Dr. B.R. Ambedkar (Mekahara) Hospital, Raipur, wherein the deceased has clearly stated that the accused Nilesh Raniwal had been continuously harassing, blackmailing and threatening her by editing and circulating her



photographs, as a result of which she fell into severe depression and, out of fear of defamation and threats to her family, consumed poisonous insecticide on 01.02.2022. During the examination of the Executive Magistrate (PW-07), nothing has been elicited in cross-examination to suggest that the deceased was not in a fit state of mind to give the dying declaration or that the statement was not recorded in accordance with law. The Magistrate has categorically stated that the dying declaration was recorded only after being informed that the patient was capable of making a statement, and there is no material on record to discredit his testimony. Further, the contents of the dying declaration are consistent with the suicide note (Ex. P-4) and other prosecution evidence. In view of the aforesaid, there is sufficient and reliable evidence on record to hold that the dying declaration of the deceased Shweta Sahu is genuine, voluntary and truthful, and the same inspires full confidence of the Court.

23. PW-3 Roshan Lal Sahu who is Father of the deceased Shweta Sahu, deposed that his daughter was a student of B.A. First Year and was in contact with the accused through Facebook and Telegram. He stated that the accused edited and circulated objectionable photographs of his daughter, causing her mental harassment and humiliation. He further stated that on 01.02.2022, his daughter consumed pesticide after writing a suicide note, which she handed over to him. He proved the suicide note (Ex. P-4), seizure of pesticide, mobile phone, photographs, and other documents. In cross-examination, although suggestions were given regarding delay and prior knowledge, his testimony regarding harassment, suicide note,



and circumstances leading to suicide remained intact.

24. PW-5 Gayatri Bai who is Mother of the deceased, corroborated the testimony of PW-3. She stated that the accused had circulated objectionable photographs of her daughter, due to which the deceased was under severe mental stress. She supported the fact of suicide note, consumption of poison, hospitalization, and subsequent death of the deceased. In cross-examination, no material contradiction could be brought out.

25. PW-4 Dr. Daniel Peter deposed that the deceased was admitted to the Medical College, Rajnandgaon, on 01.02.2022 after consuming “Parastom” pesticide. He stated that the patient was conscious but her blood pressure was low. Gastric lavage was performed and she was referred to Mekahara Hospital, Raipur. He proved his medical report as Ex. P-13.

26. PW-6 Seema Sahu who is Maternal Aunt of the deceased stated that after learning about the consumption of poison, she visited the deceased at Mekahara Hospital, Raipur, where the family informed her that the deceased had taken poison due to harassment by the accused. Her testimony supports the prosecution version. Nothing adverse was elicited in cross-examination.

27. PW-10 Dhanuk Ram Sahu who is Grandfather of the deceased supported the prosecution case by stating that the deceased consumed poison due to harassment caused by the accused by circulating objectionable photographs. His testimony remained unshaken in cross-examination.



28. It is clear from the statements of the prosecution witnesses and the investigation conducted in the matter that the deceased Kumari Shweta Sahu was subjected to continuous mental harassment, intimidation, and humiliation at the hands of the appellant. The consistent and cogent testimonies of the parents and close relatives of the deceased, duly corroborated by the suicide note and the dying declaration, establish that the appellant had been editing and circulating the photographs of the deceased and had extended threats of dire consequences to her and her family. The medical evidence, forensic reports, and electronic evidence collected during investigation further substantiate that the deceased, being left in a state of extreme fear, depression, and loss of dignity, was driven to consume poison, which ultimately resulted in her death. The investigation has brought on record a clear, proximate, and live nexus between the deliberate acts of the appellant and the commission of suicide by the deceased, thereby satisfying the essential ingredients of abetment under Section 306 of the Indian Penal Code.

29. In the present case, it stands proved from the evidence on record that the poisonous substance contained in a white-coloured container was seized from the house of the deceased, which she had consumed on account of continuous mental harassment, threats, and humiliation caused by the accused. The seizure of the said container, coupled with the medical evidence, chemical examination report confirming the presence of poison, the suicide note, and the dying



declaration of the deceased, clearly establishes that the deceased committed suicide by consuming poison. The consistent statements of the prosecution witnesses and the investigation conducted further prove that the accused, by his deliberate acts of editing and circulating photographs of the deceased and by threatening her and her family, intentionally subjected her to such grave mental cruelty that she was left with no option except to end her life.

30. From a conjoint reading of the depositions of PW-1 to PW-22, it is evident that the prosecution has successfully established a consistent, cogent, and reliable chain of circumstances. The oral evidence of the family members regarding harassment, threats, and circulation of objectionable photographs is duly corroborated by the suicide note, dying declaration, medical evidence, and forensic reports. Thus, the acts of the accused squarely fall within the ambit of abetment as defined under Section 306 of the Indian Penal Code, and the charge against the accused under Section 306 IPC stands proved beyond reasonable doubt.

31. In view of the above discussion, this Court is of the considered opinion that the judgment passed by learned trial Court is based on proper appreciation of evidence which is neither perverse nor contrary to the record as well as law laid down by the Hon'ble Supreme Court and the same needs no interference as such, the judgment of conviction and order of sentence awarded to the appellant is hereby affirmed.

32. In the result, the instant criminal appeal is hereby **dismissed**. The appellant is reported to be in jail. He shall serve the remaining



period of jail sentence as has been awarded to him by the learned trial Court.

33. Registry is directed to send a copy of this judgment to the concerned Superintendent of Jail where the appellant is undergoing his jail sentence to serve the same on the appellant informing him that he is at liberty to assail the present judgment passed by this Court by preferring an appeal before the Hon'ble Supreme Court with the assistance of High Court Legal Services Committee or the Supreme Court Legal Services Committee.

34. Let a copy of this judgment and the original records be transmitted to the trial Court concerned forthwith for necessary information and compliance

Sd/-

(Arvind Kumar Verma)
Judge

Jyoti