

ITEM NO.102

COURT NO.7

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 426 OF 2005

STATE OF RAJASTHAN

Appellant (s)

VERSUS

VIDHYA DEVI

Respondent(s)

Date: 04/08/2011

This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Appellant(s)

Dr. Manish Singhvi, AAG.
Mr. Vijay Verma, Adv.
Mr. Milind Kumar, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

The appeal is dismissed in terms of the
signed order.

[KALYANI GUPTA]
COURT MASTER

[VINOD KULVI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE.]

Cr1.A. No. 426 of 2005

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 426 OF 2005

STATE OF RAJASTHAN

.....

APPELLANT

VERSUS

O R D E R

1. We have heard the learned counsel for the State of Rajasthan and have gone through the judgment of the High Court very carefully. The facts indicate that the accused respondent was suffering from insanity on the date of the incident and the facts leading to this conclusion have been set out in extenso in the High Court's judgment. It has been highlighted that the incident happened on the 18th of February, 1996 and even before the challan had been filed on the 26th April, 1996, the accused had been sent to the Medical Hospital, Jaipur for treatment and that she had remained admitted in the hospital for treatment till 12th October, 1999 when she had been produced before the concerned Court on that day

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and it was found that she was still behaving in an abnormal manner and on which she was again sent to the Medical Hospital, Jaipur and remained under treatment from 12th October, 1999 till 20th November, 2001. It is, therefore, obvious that the circumstances of the case show that the respondent was suffering from insanity and was, therefore, entitled to claim the benefit under Section 84 of the Indian Penal Code. We are, therefore, not inclined to interfere in this matter.

2. Dismissed.

.....J
 [HARJIT SINGH BEDI]

.....J
 [GYAN SUDHA MISRA]

NEW DELHI
AUGUST 04, 2011.