

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 1139/2014

RAM KUMAR YADAV & ORS.

APPELLANT(S)

VERSUS

THE STATE OF CHHATTISGARH

RESPONDENT(S)

ORDER

1. Heard learned counsel for the appellants-the convicts.

2. The appellants have been convicted for an offence punishable under Section 302 of the Indian Penal Code, 1860 and have been sentenced to life imprisonment and fine by the Trial Court. The High Court dismissed the criminal appeal and upheld the order of conviction and sentence passed by the Trial Court.

3. The incident happened in the intervening night of 12.05.2005 and 13.05.2005 wherein it is alleged that one 'Bhola Tiwari', was done to death and his body was thrown into the dry well. It is alleged that the deceased Bhola Tiwari was having

illicit relations with the sister 'Krishna Yadav' of appellant Nos. 1 and 2 i.e. 'Ram Kumar Yadav' and 'Virendra Kumar Yadav' and therefor the aforesaid crime was committed.

4. Learned counsel for the appellants submits that PW-6 is not a credible witness and therefore, the conviction on his statement alone is not proper.

5. We have gone through the statement of PW-6, who is the eye-witness. His presence at the site of occurrence is proved and he has clearly stated that he had seen some of the persons dragging the deceased who was half dead and that one of them was even carrying a gun. His presence at the spot is corroborated by the evidence of PW-7. Once the presence of the PW-6 is established, it cannot be said that he is not a credible witness. Minor discrepancies or omissions in the evidence are not fatal to the conviction.

6. In view of the aforesaid facts and circumstances, we are of the view that the appeal lacks merit. It is, accordingly, dismissed.

7. Pending application(s), if any, shall stand disposed of.

.....J.
[PANKAJ MITHAL]

.....J.
[JOYMALYA BAGCHI]

NEW DELHI;
AUGUST 20, 2025.
SD

ITEM NO.105

COURT NO.8

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No. 1139/2014

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APPELLANT(S)

VERSUS

THE STATE OF CHHATTISGARH

RESPONDENT(S)

Date : 20-08-2025 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PANKAJ MITHAL
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Appellant(s) Ms. Sonia Mathur, Sr. Adv.
Mr. Surya Kant, AOR
Mr. Nikhil Chander Jaiswal, Adv.
Ms. Priynka Tyagi, Adv.
Ms. Mansi Sridhar, Adv.
Ms. Shubhi Bhardwaj, Adv.
Ms. Vanshika, Adv.

For Respondent(s) Mr. Rishabh Sahu, D.A.G.
Mr. Apoorv Shukla, AOR
Ms. Prabhleen A. Shukla, Adv.

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

1. The appeal stands dismissed in terms of the signed order which is placed on the file.
2. Pending application(s), if any, shall stand disposed of.

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)
COURT MASTER (NSH)