

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). 780 OF 2000

ANI RAJ SINGH AND ANR.

Appellant (s)

VERSUS

STATE OF U.P.

Respondent(s)

Date: 30/03/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR.

JUSTICE ARUN KUMAR

HON'BLE MR. JUSTICE A.K. MATHUR

For Appellant(s)

Mr. K.K. Mohan,Adv.

For Respondent(s)

Mr. Prashant Choudhary, Adv.

Mr. Praveen Swarup,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

The appeal is dismissed. Bail bonds of the appellants, who are on bail, are cancelled and they are directed to be taken into custody forthwith for which compliance report must be sent to this Court within a period of one month from the date of receipt of copy of this order by the trial court.

[Charanjeet Kaur]

[Radha

R Bhatia]

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 780 OF 2000

Ani Raj Singh and Anr. .. Appellant(s)
Versus
State of U.P. .. Respondent(s)

O R D E R

Heard learned counsel for the parties.

The appellants along with accused-Shri Pal were made
accused and committed to the Court of Sessions to face trial. During
trial accused-Shri Pal died, as such the trial proceeded in relation to
the present appellants and by its judgment, the trial court acquitted
both the appellants of the charges. Against the order of acquittal, an
application was filed before the High Court for grant of special leave
to appeal, but the same was refused. Against the said order, this
Court was moved and the order refusing leave was set aside, the
High Court was directed to grant leave, admit the appeal, issue notice
to the accused persons and thereafter dispose of the appeal on
merits. After remand, the High Court after granting leave, admitted

the appeal and after hearing the parties by a detailed order having found that the order of acquittal passed by the trial court suffered from the vice of perversity, reversed the same and convicted the appellants under

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Section 302 read with Section 34 of the Indian Penal Code and sentenced them to undergo imprisonment for life. The prosecution case has been supported by two eye-witnesses, namely, Mehar Chand (P.W.1) and Tikka Ram (P.W.2). We have been taken through the evidence of these two witnesses and we do not find any infirmity therein. These witnesses have consistently supported the prosecution case in their statement made before the police as well as in Court. That apart, evidence of these two witnesses have been corroborated by the medical evidence. This being the position we are of the view that the High Court was quite justified in convicting the appellant and no interference by this Court is called for.

Accordingly, the appeal is dismissed. Bail bonds of the appellants, who are on bail, are cancelled and they are directed to be taken into custody forthwith for which compliance report must be sent to this Court within a period of one month from the date of receipt of copy of this order by the trial court.

.....J

[B.N. AGRAWAL]

.....J

[ARUN KUMAR]

.....J

[A.K. MATHUR]

NEW DELHI ,

MARCH 30 , 2006 .