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Crl.A.No. 1252 OF 1999
.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp
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ITEM NO. COURT NO. 3 SECTION II
AT 2.00 P.M

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRL. APPEAL NO(s) 1252/1999

KHARAG SINGH Appellant (s)

Versus

STATE OF U.P. Respondent (s)

(WITH OFFICE REPORT)

Date:14.3.2002 This/These Appeal(s) was/were called
on for hearing today.

CORAM:

HON'BLE MR. JUSTICE M.B. SHAH
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For the Appellant (s)

Mr.Tripurari Ray,Adv.for
Mr.Pravir Choudhary,Adv.

For the Respondent (s)

Mr.T.N. Singh,Adv.for
Mr.A.S. Pundir,Adv.

Upon hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
.SP2

Taken on Board.

Released from part-heard.

Heard the learned counsel for the parties for about
ten minutes. The appeal is dismissed.

.SP1

(Vijay Kumar Sharma)
Court Master

(K.K. Chadha)
Court Master

Signed order is placed on the file.

.PA

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1252 OF 1999

Kharag Singh

& .Appellant

Vs.

State of U.P.

& Respondent

O R D E R

Heard the learned counsel for the parties.

This appeal is filed against the judgment and order dated 12th May, 1998 passed in Crl. Appeal No. 2722 of 1980 by the High Court of Allahabad confirming the sentence and conviction passed against the appellant by the II Addl. District and Sessions Judge, Budaun in Sessions Trial No. 111 of 1980.

In our view, the appreciation of evidence by courts below cannot be said to be in any way illegal or erroneous which would be called for interference in this appeal. Courts below relied upon the evidence of PWs. 1 and 3 who were sleeping at the tubewell. The said evidence is corroborated by PW-2 who was an independent witness to the extent that when he heard the shouts, he went there and he saw PWs. 1 and 3 were tied with a rope. He also saw accused running away.

Hence, this appeal is dismissed.

& & & & & & & & & & ..J
(M.B. SHAH)

& & & & & & & & & & ..J
(D.M. DHARMADHIKARI)

New Delhi
March 14, 2002.

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