

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL No.252 OF 2011

THE STATE OF MADHYA PRADESH

... APPELLANT

Versus

RAM KUMAR SINGH

... RESPONDENT

WITH
CRIMINAL APPEAL No.258 OF 2011

O R D E R

The instant appeals are directed against the judgment and order dated 17.12.2009 passed by the High Court of Madhya Pradesh, Bench at Gwalior, in Criminal Appeal Nos.621/2003 and 171/2004, whereby the High Court acquitted the respondent-accused of the charges levelled against him. Feeling aggrieved by the said order, the State of Madhya Pradesh has preferred the instant appeals.

Having heard learned counsel for the parties and perusing the materials on record, it is clear that P.W.1 (minor son of the deceased) is the only eye witness, who is about 11 years of age, and does not fully support the prosecution case. His evidence is not reliable and not corroborated by any one. P.W.2 and P.W.3 are the other material witnesses, who turned hostile, and had not supported the case of the prosecution. The circumstantial evidence also does not support the case of the prosecution. It is also clear from the

evidence that no fire-arm or weapon has been recovered from the accused. It is also not proved that the permission to prosecute was granted under the provisions of the Arms Act with due application of mind.

In view of the above, the impugned order does not call for any interference.

The appeals are accordingly dismissed.

.....J.
(N.V.RAMANA)

.....J.
(MOHAN M.SHANTANAGOUDAR)

NEW DELHI;
OCTOBER 31, 2018.

ITEM NO.108

COURT NO.6

SECTION II-A

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(s).252/2011

THE STATE OF MADHYA PRADESH

Appellant(s)

VERSUS

RAM KUMAR SINGH

Respondent(s)

WITH

Cr1.A. No.258/2011 (II-A)

Date : 31-10-2018 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGUDAR

For Appellant(s) Ms.Swarupama Chaturvedi, AOR
 Mr.B.N.Dubey, Adv.
 Mr.Mukesh Kumar, Adv.

For Respondent(s) Mr.Amit Pawan, AOR
 Ms.Abha R. Sharma, AOR

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

The appeals are dismissed in terms of the signed order.

(SATISH KUMAR YADAV)
AR-CUM-PS

(RAJ RANI NEGI)
ASSISTANT REGISTRAR

(Signed order is placed on the file)