

In The Supreme Court of India
Criminal Appellate jurisdiction

Criminal Appeal Nos. 1266-1267 of 2015

State of Uttar Pradesh

...Appellant(s)

Versus

Het Ram & Ors.

...Respondent(s)

Order

These appeals are filed against the impugned judgment dated 30.10.2009 passed by the High Court of Judicature at Allahabad in Criminal Appeal No. 1061 of 1997 and 1163 of 1997, whereby the High Court while setting aside the order of sentence and conviction passed by the trial court, acquitted the accused-respondents from all the charges.

Heard learned counsels for both the parties and perused the material available on record.

It is to be noted that initially prosecuterix had claimed that the accused had raped her and threatened her life in order to pressurize her to transfer a piece of land standing in the name of her minor son. Such assertions were rightly disbelieved by the High Court as no objections were raised by the prosecuterix at the time of execution of sale deed or during the mutation proceedings, which clearly shows that the sale deed was executed with her own free will and consent. Moreover the prosecuterix has gone back on the allegation of the rape and stated subsequently that such allegations were initially made only to put pressure on the accused

to return her land. Viewed from the above backdrop it appears that she had implicated the accused-respondents for the alleged crimes as a pressure tactics.

In facts and circumstances of this case, we are of the considered opinion that the High Court has rightly acquitted the aforesaid accused. Thus, we do not find any merit in these appeals.

These appeals are accordingly dismissed.

Pending applications, if any, shall stand disposed of.

.....J.
(N. V. Ramana)

.....J.
(Prafulla C. Pant)

New Delhi
August 22, 2017

ITEM NO.109

COURT NO.10

SECTION II

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). 1266-1267/2015

THE STATE OF UTTAR PRADESH

Appellant(s)

VERSUS

HET RAM & ORS.

Respondent(s)

Date : 22-08-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Appellant(s) Mr. D.K.Singh, AAG,
 Mr. Samir Ali Khan, Adv.
 Mr. Amit Singh, Adv.
 Mr. Abhishek Chaudhary, AOR

For Respondent(s) Mr. R.Anand Padmanabhan, Adv.
 Mr. Romil Pathak, Adv.
 Ms. Anaanya Mukherjee, Adv.
 Mr. Shashi Bhushan Kumar, 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.
Pending applications, if any, shall stand disposed of.

(SHASHI SAREEN)
AR CUM PS

(S. SIVARAMAKRISHNA)
ASST.REGISTRAR

Pending applications, if any, shall stand disposed of.