



2026:CGHC:4051-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 437 of 2022

1 - Jaylal Singh Son of Ram Singh Aged About 28 Years

2 - Guljhar Singh Son of Ram Singh Aged About 30 Years

Both are resident of Village-Banji, Police Station- Jhagrakhand,
District - Koriya Chhattisgarh.

... Appellants

versus

State of Chhattisgarh Through Station House Officer, Police Station,
Jhagrakhand, District - Koriya Chhattisgarh.

... Respondent

(Cause-title taken from Case Information System)

For Appellants	:	Mr. Hemant Kumar Agrawal, Advocate
For State/Respondent	:	Mr. Priyank Rathi, Government Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Judgment on Board

Per Ramesh Sinha, Chief Justice

23.01.2026

1. Heard Mr. Hemant Kumar Agrawal, learned counsel for the appellants. Also heard Mr. Priyank Rathi, learned Government Advocate, appearing for the State/respondent.

2. This criminal appeal is filed by the appellants/accused under Section 374(2) of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') is directed against the impugned judgment of conviction and order of sentence dated 31.01.2022 passed by the learned Second Additional Sessions Judge, Manendragarh, District Koriya (C.G.) in Sessions Trial No.11 of 2018, whereby the appellants/accused have been convicted for the offence punishable under Sections 302/34 and 201/34 of the Indian Penal Code, 1860 (for short, 'IPC') and sentenced to undergo imprisonment for life and fine of Rs.1,000/-, in default of payment of fine amount, additional rigorous imprisonment for 3 months and rigorous imprisonment for 2 years and fine of Rs.1,000/-, in default of payment of fine amount, additional rigorous imprisonment for 3 months, respectively, and it is directed that both the sentences were run concurrently.
3. In a nutshell, the prosecution case is as follows: On 26.09.2017, Sub-Inspector Rakesh Yadav (PW-12) received information from the complainant, Sarpanch Lakhan Singh (PW-1), regarding the murder of one Surajbhan Singh. According to the complainant, on the morning of 26.09.2017, at approximately 6:30 a.m., the accused, Guljhar and his younger brother Jaylal, came to his house and informed him that on the previous day, i.e., 25.09.2017, at around 7:00 p.m., an altercation had taken place at the courtyard of Jhurei Baiga's house. The deceased, Surajbhan, had allegedly been fighting with them. The accused, according to

the information received, took Surajbhan to the courtyard of Jhurei Baiga's house, strangled him with his own *gamchha*, and repeatedly struck him with a *jarkatti* (iron rod), causing his death. Subsequently, the body was thrown into a well near the crusher plant owned by Dhrupad Chauhan. On visiting the well, the body was initially not visible. However, on conducting a search in the presence of the villagers, the deceased's body surfaced.

4. On the basis of the above information, a case under Section 174 Cr.P.C. was registered at the police station (Exhibit P-1). On the same day, a formal First Information Report (FIR) was registered against the accused under Sections 302, 201, and 34 of the Indian Penal Code (Exhibit P-2).
5. The body of the deceased was recovered in the presence of witnesses Lakhan Singh (PW-1), Sacchidanand, Dwivedi (PW-2), Ram Singh (PW-3), and Pawan Kurre, and the recovery was recorded in a formal panchnama (Exhibit P-3). Notices were issued to the witnesses for the postmortem examination of the deceased (Exhibit P-4), and a site plan of the crime scene was prepared in the presence of the panchnama witnesses (Exhibit P-4A).
6. The postmortem examination of Surajbhan Singh was conducted at the Community Health Centre, Manendragarh, by Dr. O.L. Burman (PW-9) and Dr. N. Kesharwani, who submitted the postmortem report (Exhibit P-23). The postmortem report

indicated multiple injuries consistent with strangulation and blunt force trauma.

7. During the investigation on 26.09.2017, the police recovered several items from the crime scene, including: (i) A one-litre white plastic bottle containing water from the well, (ii) A plastic container containing blood-stained soil from near the well, and (iii) Another container containing plain soil from the vicinity of the crime scene.
8. All items were properly recorded in seizure memo (Exhibit P-6). Further, at the behest of the police, the accused Gulzhar Singh and Jaylal appeared for their statements, and memoranda of their statements were recorded in the presence of witnesses (Exhibits P-8 & P-9). From the accused, the police seized clothing worn at the time of the incident and the weapon allegedly used in the commission of the crime, a *jarkatti* (iron rod) (Exhibits P-10 & P-11). The seized items were sent for chemical and forensic examination, and the reports were obtained from the Regional Forensic Science Laboratory, Ambikapur (Exhibit P-26). According to which, blood stains have been found in the clothes of the accused.
9. Additionally, a detailed site map (Exhibit P-24) of the original crime scene at Jhurei Baiga's house and the nearby crusher plant well was prepared. Seizures of blood-stained clothing, the weapon, and other items were all properly documented through seizure memos and sent for forensic examination.

- 10.** After completion of the investigation, the case was presented before the Judicial Magistrate of First Class, Manendragarh, District Koriya, who, after examining the jurisdictional requirements, committed the case to the Sessions Court for trial. The charges were framed under Sections 302/34 and 201/34 of the IPC. The charges were read over and explained to the accused, who pleaded not guilty. During examination under Section 313 Cr.P.C., the accused maintained their innocence and contended that they had been falsely implicated. No evidence was adduced on their behalf in defence.
- 11.** The prosecution in order to prove its case examined as many as 12 witnesses as PW-1 to PW-12 and exhibited 48 documents vide Ex.P/1 to Ex.P/48, whereas the appellants-accused in support of their defence have neither examined any witness nor exhibited any document.
- 12.** The trial Court after completion of trial and after appreciating oral and documentary evidences available on record, by the impugned judgment dated 31.01.2022 convicted and sentenced the appellants in the manner mentioned in the second paragraph of this judgment, against which this appeal under Section 374(2) of the Cr.P.C. has been preferred by them calling in question the impugned judgment.
- 13.** Mr. Hemant Kumar Agrawal, learned counsel appearing on behalf of the appellants, vehemently submitted that the appellants have

been falsely implicated in the present case and there exists no material evidence on record to connect them with the alleged commission of the offence. He contended that the entire prosecution case is based on conjecture, surmise, and statements which are uncorroborated, unreliable, and, therefore, cannot sustain a conviction under Sections 302/34 and 201/34 of IPC. He further submits that as per the prosecution case itself, on 26.09.2017, the complainant, Sarpanch Lakhan Singh (PW-1), intimated Sub-Inspector Rakesh Yadav (PW-12) that the appellants, Guljhar and Jaylal, had informed him that the deceased, Surajbhan, had stopped the appellants on 25.09.2017 and had allegedly assaulted them. It was then contended, according to the prosecution, that the appellants killed the deceased and disposed of the body in the well near the crusher plant of Dhrupad Chauhan.

14. Mr. Agrawal submitted that the learned trial Court committed a grave error of law in convicting the appellants solely on the basis of an alleged confession purportedly made before the complainant, Lakhan Singh (PW-1). He emphasized that the alleged confession is not a statement recorded before a competent judicial authority, nor has the prosecution proved this confession in accordance with the statutory requirements. Therefore, the so-called confession relied upon by the trial Court is inadmissible, perverse, and cannot form the basis for a conviction. He further argued that the appellants, in their

memorandum statements, specifically claimed that they acted in self-defense. It is submitted that Jaylal Singh, one of the appellants, had suffered injuries as a result of an assault by the deceased. However, the prosecution failed to examine Jaylal Singh independently to verify these claims, and no medical evidence was led to show that he had received any injuries.

- 15.** Mr. Agrawal contended that the deceased, Surajbhan, was allegedly armed with a deadly weapon and had initiated an attack upon the appellants. This critical aspect of the case namely, that the deceased was the aggressor and the appellants acted in self-defense was completely ignored by the trial Court in its judgment. It is further submitted that no weapon allegedly used by the appellants in committing the offence was ever recovered or seized by the police. The prosecution did not recover any instrumentality of crime from the appellants which could substantiate the claim of intentional homicide. Therefore, the absence of any weapon or direct evidence linking the appellants to the murder casts serious doubt upon the veracity of the prosecution case.
- 16.** Mr. Agrawal emphasized that, when coupled with the statements of the appellants recorded under Section 313 Cr.P.C., it is evident that the appellants have been falsely implicated. The trial Court, by ignoring these critical aspects of the defence, and relying solely upon an unproven alleged confession before a private individual, has arrived at a perverse conclusion. He further

submits that the entire prosecution case lacks direct evidence connecting the appellants to the crime. There is no eyewitness evidence, forensic evidence, or recovery of the alleged weapon from the appellants, which could reliably implicate them in the commission of the offence. The recovery of clothes or other materials, even if accepted, cannot independently establish culpability for murder without corroboration.

17. In conclusion, Mr. Agrawal, learned counsel for the appellants, vehemently urged that the impugned conviction and sentence imposed upon the appellants are wholly unsustainable in law, being founded upon inadmissible, uncorroborated, and perverse material. He submitted that the trial Court erred in convicting the appellants solely on the basis of an alleged confession purportedly made before a private individual and failed to appreciate the defence of self-protection taken by the appellants, as well as the absence of any weapon or other direct evidence connecting them with the commission of the offence. It is further submitted that, in the facts and circumstances of the case, even if any culpability were to be presumed, the appellants could at best be convicted under Section 304 Part-II IPC rather than under Section 302 IPC.
18. To substantiate his submissions, Mr. Agrawal placed reliance on the judgment passed by this Court in ***Pramila v. State of Chhattisgarh*, 2009 (3) C.G.L.J. 194 (DB)**, particularly paragraph

12, wherein the Court held that in the absence of direct evidence and in cases where the offence is not premeditated, conviction under the full charge of murder cannot be sustained, and the Court may consider reduction to culpable homicide not amounting to murder. Accordingly, present appeal may kindly be allowed in full, or at the very least, the conviction under Section 302 IPC may be modified to Section 304 Part-II IPC, thereby mitigating the sentence imposed upon the appellants.

19. *Per-contra*, Mr. Priyank Rathi, learned Government Advocate, appearing for the State supported the impugned judgment of conviction and order of sentence and submitted that the conviction and sentence imposed by the trial Court are wholly justified and sustainable in law. The appellants were directly involved in the intentional killing of the deceased, Surajbhan, as supported by the testimony of the complainant, Sarpanch Lakhan Singh (PW-1), and other eyewitnesses. The prosecution evidence, including the recovery of the body from the well, seizure of blood-stained clothing and soil from the crime scene, and forensic reports (Exhibits P-3, P-6, P-7, P-10, P-11, P-26), clearly establishes the presence and involvement of the accused in the crime. It is further submitted that the defence of self-protection raised by the appellants is unsubstantiated and contradicted by the evidence. There is no independent proof that Jaylal or Gulzhar sustained any injuries, and the postmortem report shows multiple injuries caused by deliberate strangulation and blunt force,

inconsistent with mere defensive action. The alleged confession before a private individual, even if considered, is supported by corroborative evidence, and the trial Court rightly relied on the totality of circumstances to convict the appellants.

20. Mr. Rathi argued that the absence of the actual weapon from the appellants does not vitiate the prosecution case, as circumstantial evidence, recovery of materials from the scene, and forensic findings sufficiently demonstrate the commission of the offence by the appellants. The trial Court meticulously considered the statements recorded under Section 313 Cr.P.C., recovery reports, and medical evidence before concluding that the offence was committed intentionally and in concert by both accused. It is lastly submitted that the appellants' reliance on **Pramila** (supra) is misplaced, as this case involves sufficient direct and corroborative evidence to prove intentional murder. As such, the appeal be dismissed in its entirety, and the conviction and sentence under Sections 302/34 and 201/34 IPC be upheld.
21. We have heard learned counsel for the parties and considered their rival submissions made herein-above and also went through the original records of the trial Court with utmost circumspection.
22. The first question for consideration is whether the trial Court was justified in holding that the death of the deceased, Surajbhan Singh, was homicidal in nature. This question goes to the very foundation of the case, as the nature of death determines the

applicability of Sections 302/34 and 201/34 IPC. In the present case, the trial Court meticulously examined the testimony of the eyewitnesses, the investigating officers, and the medical evidence to arrive at the conclusion that the deceased did not die due to accidental causes, natural causes, or any self-inflicted injury, but as a result of deliberate physical assault.

- 23.** It is apparent from record that Sarpanch Lakhan Singh (PW-1), along with other eyewitnesses including Satchidanand Dwivedi (PW-2), Ram Singh (PW-3), and Jhurei Baiga (PW-4), were present at the scene of recovery of the deceased's body from the well near Dhrupad Chauhan's crusher plant. All these witnesses consistently described multiple injuries on the body, including a fractured skull, contusions and lacerations on the back, waist, and other limbs, and ligature marks on the neck consistent with strangulation. The presence of a towel near the well, the manner in which the body was disposed, and the observations recorded in the Panchanama of Body Recovery (Exhibit P-3), Rural Inquest Report (Exhibit P-2) and the Site Sketches (Exhibits P-5 & P-14), further substantiate that the death was the result of external physical violence inflicted by other persons.
- 24.** The postmortem conducted by Dr. O.L. Barman (PW-9), supported by Dr. N. Kesharwani, confirms the forensic findings of homicidal death. The deceased sustained multiple ante-mortem injuries, including stab-like injuries on the chest and ribs, fracture

of the occipital bone, injuries to the lungs and pleura, and cardiac rupture caused by penetration of a sharp or blunt object. The ligature mark around the neck, along with the distribution and severity of injuries, is inconsistent with accidental falls or any post-mortem manipulation. The Postmortem Report (Exhibit P-23), clearly records that the cause of death was hemorrhage and shock due to the injuries, and categorically states that the death was homicidal.

- 25.** The investigating officer, Sub-Inspector Rakesh Yadav (PW-12), corroborated the testimony of the eyewitnesses by confirming the preparation of the Panchanama of Body Recovery (Exhibit P-3), Notice for Presence of Witnesses under Section 175 Cr.P.C. (Exhibit P-4), Sketch Panchanama of the Scene (Exhibit P-4A), and Site Sketch of the Location of the Well (Exhibit P-5), and the Original Site Sketch of the Crime Scene (Exhibit P-14). The evidence regarding the recovery of the iron rod (*zarkatti*) allegedly used to inflict injuries, later examined through forensic and chemical reports (Exhibit P-48), further supports the conclusion that the injuries were caused by deliberate human intervention. The testimony of all witnesses, including the police officers, was consistent and remained unchallenged on material aspects during cross-examination.
- 26.** In view of the above, we are of the considered opinion that the trial Court was fully justified in holding that the death of Surajbhan

Singh was homicidal in nature. The conclusion is based on credible eyewitness accounts, corroborated medical evidence, and proper investigation, and is a finding of fact which is neither perverse nor contrary to the evidence on record. Consequently, this Court affirms the finding of homicidal death recorded by the trial Court.

27. The next question for consideration is whether the trial Court was justified in holding that the appellants/accused are the authors of the crime.
28. To bring home the charge, the prosecution examined as many as twelve witnesses, including material public witnesses, seizure witnesses, medical experts, and the investigating officers. The evidence adduced by the prosecution is primarily circumstantial in nature and is aimed at establishing the homicidal death of the deceased and linking the appellants with the commission of the offence.
29. Lakhan Singh (PW-1), the complainant and Sarpanch of the village, deposed that on 26.09.2017 the appellants approached him and disclosed that a quarrel had taken place between them and the deceased, Surajbhan Singh, whereafter they assaulted him and threw his dead body into a well near the crusher plant of Dhrupad Chauhan. On the basis of this information, PW-1 immediately intimated the police. His statement formed the basis of the *Dehati Nalishi* and *Merg Intimation*. PW-1 remained

consistent in his testimony and nothing material could be elicited in his cross-examination so as to discredit his version.

- 30.** Satchidanand Dwivedi (PW-2), Ram Singh (PW-3), and Jhurei Baiga (PW-4) are witnesses to the recovery of the dead body and preparation of inquest and seizure proceedings. These witnesses supported the prosecution case regarding the recovery of the deceased's body from the well and noticed multiple injuries on the person of the deceased. They also proved the inquest proceedings and seizure memos prepared by the police. Though some of them were cross-examined at length, their testimony remained intact on material particulars.
- 31.** Dr. O.L. Barman (PW-9), the medical officer, conducted the postmortem examination of the dead body and proved the postmortem report. He categorically opined that the deceased sustained multiple ante-mortem injuries, including grievous injuries on vital parts of the body, and that the cause of death was hemorrhage and shock resulting from those injuries. He clearly stated that the death was homicidal in nature. His testimony remained unchallenged on the core medical findings and fully corroborates the prosecution version.
- 32.** Sub-Inspector Rakesh Yadav (PW-12), the investigating officer, deposed regarding the receipt of information, registration of the offence, preparation of inquest, spot map, recording of statements of witnesses, memorandum statements of the appellants, and

recovery of incriminating articles. He also proved the seizure of blood-stained articles and their dispatch for forensic examination. The investigation conducted by him appears to be fair and in accordance with law, and no material contradiction or procedural lapse was brought out in his cross-examination so as to dent the prosecution case.

- 33.** Considering the matter in its entirety, we find that since there is no direct eyewitness to the occurrence, the prosecution case rests entirely on circumstantial evidence, and therefore, the settled legal position requires that each circumstance relied upon must be firmly established and that all such circumstances, taken cumulatively, must form a complete chain pointing unerringly towards the guilt of the appellants and exclude every reasonable hypothesis of innocence.
- 34.** The trial Court, upon a careful appreciation of the material on record, found that the prosecution successfully established an unbroken chain of circumstances linking the appellants with the commission of the offence. The first and foremost circumstance is the extra-judicial confession made by the appellants before Lakhan Singh (PW-1), the Sarpanch of the village, to whom the appellants voluntarily disclosed the manner in which they had assaulted the deceased, Surajbhan Singh, and disposed of his dead body in a well near the crusher plant. The evidence of PW-1 has remained consistent and trustworthy, and no material

contradiction or motive for false implication has been brought out in his cross-examination. The trial Court has rightly held that an extra-judicial confession made to a responsible and independent person can form the basis of conviction when it inspires confidence and is corroborated by other evidence on record.

- 35.** The said confession stands further corroborated by the contemporaneous documentary evidence, namely the *Dehati Nalishi* (Exhibit P-2) and *Dehati Merg Intimation* (Exhibit P-1), which were recorded promptly and contain specific reference to the disclosure made by the appellants regarding their involvement in the crime. Prompt lodging of these documents rules out embellishment or afterthought and lends assurance to the prosecution version.
- 36.** Another significant circumstance relied upon by the trial Court is the memorandum statements of the appellants recorded under Section 27 of the Indian Evidence Act, pursuant to which recoveries of incriminating articles, including the weapon of offence and blood-stained clothes, were effected. These recoveries were duly proved by the investigating officer and independent witnesses and further strengthened by the FSL, which confirmed the presence of human blood on the seized articles, matching the blood group of the deceased. The recovery of such incriminating material at the instance of the appellants constitutes a strong link connecting them with the offence.

- 37.** Furthermore, the prosecution succeeded in establishing a motive, namely an existing land dispute between the deceased and the appellants, which also finds mention in the extra-judicial confession and witness testimony. While motive by itself may not be decisive, its presence assumes significance in a case based on circumstantial evidence and lends support to the prosecution case.
- 38.** On an overall assessment of the evidence, the trial Court rightly concluded that the circumstances proved by the prosecution are consistent only with the hypothesis that the appellants are the perpetrators of the crime and are wholly inconsistent with any other reasonable hypothesis. This Court finds no perversity or infirmity in the conclusion drawn by the trial Court holding the appellants to be the authors of the crime.
- 39.** Upon a comprehensive and anxious consideration of the entire material available on record, the rival submissions advanced by learned counsel for the parties, and the settled principles of criminal jurisprudence governing cases based on circumstantial evidence, we are of the considered opinion that the prosecution has been able to prove its case beyond all reasonable doubt. The findings recorded by the learned trial Court neither suffer from any perversity nor disclose any misappreciation of evidence warranting interference by this Court in the exercise of its appellate jurisdiction under Section 374(2) of the Cr.P.C.

- 40.** As discussed herein-above, the prosecution has successfully established that the death of the deceased, Surajbhan Singh, was homicidal in nature, and this finding is firmly supported by unimpeachable medical evidence, ocular testimony regarding the condition of the dead body, and contemporaneous documentary evidence. The postmortem report (Exhibit P-23) coupled with the testimony of the medical experts conclusively rules out any hypothesis of accidental or natural death and leaves no manner of doubt that the deceased was subjected to brutal assault culminating in his death.
- 41.** So far as the authorship of the crime is concerned, although there is no direct eyewitness to the incident, the prosecution has established a complete and unbroken chain of circumstances pointing exclusively towards the guilt of the appellants and ruling out every reasonable hypothesis consistent with their innocence. The extra-judicial confession made by the appellants before Lakhan Singh (PW-1), a responsible public representative with no animus against the accused, stands corroborated by prompt lodging of the *Dehati Nalishi* and *Dehati Merg*, recoveries effected pursuant to the memorandum statements, forensic evidence indicating presence of human blood on the seized articles, and the manner in which the dead body was disposed of. These circumstances, when taken together, form a coherent and consistent narrative which irresistibly leads to the conclusion that the appellants alone were responsible for committing the crime.

- 42.** The defence version put forth by the appellants, including the plea of false implication and the assertion of self-defence, does not inspire confidence and remains wholly unsubstantiated. No evidence, oral or documentary, has been adduced to establish that the deceased was the aggressor or that any of the appellants had sustained injuries necessitating exercise of the right of private defence. The absence of any medical evidence regarding injuries on the appellants, coupled with the nature, location, and multiplicity of injuries found on the deceased, clearly negates the plea of self-defence. The statements made by the appellants under Section 313 Cr.P.C., being bald denials, do not probabilise the defence version nor create any dent in the otherwise cogent prosecution case.
- 43.** The submission advanced on behalf of the appellants seeking conversion of the conviction from Section 302 IPC to Section 304 Part-II IPC is wholly misconceived and devoid of any legal substance. The manner in which the offence was perpetrated clearly reflects a deliberate and intentional act rather than an act falling within the domain of culpable homicide not amounting to murder. The evidence on record establishes that deceased was first overpowered and strangled, and thereafter repeatedly assaulted with a hard and blunt object on vital parts of the body. Such a sequence of acts leaves no manner of doubt that the appellants acted with the requisite intention and knowledge contemplated under clauses (1) and (3) of Section 300 IPC.

44. Further, the conduct of the appellants after the commission of the offence assumes considerable significance. The conscious effort to dispose of the dead body by throwing it into a well near the crusher plant, with the clear object of screening the offence from detection, is a strong incriminating circumstance demonstrating a guilty mind. This post-occurrence conduct is wholly inconsistent with any hypothesis of a sudden fight, lack of intention, or an act committed in the heat of passion, which are the essential preconditions for invoking the lesser offence under Section 304 IPC.
45. Importantly, none of the exceptions to Section 300 IPC are attracted in the facts of the present case. There is no material to suggest grave and sudden provocation, exercise of the right of private defence, or commission of the act without premeditation during a sudden quarrel. On the contrary, the nature, location, and multiplicity of the injuries inflicted on the deceased unmistakably establish a calculated assault intended to cause death or such bodily injury as was sufficient in the ordinary course of nature to cause death.
46. The reliance placed by the appellants on ***Pramila*** (supra) is, therefore, clearly misplaced and distinguishable on facts. The said case turned on the presence of circumstances indicative of self-defence and absence of intention to commit murder, which is entirely absent in the present case. Here, the prosecution

evidence firmly establishes that the act falls squarely within the ambit of murder as defined under Section 300 IPC. Accordingly, the plea for conversion of the conviction from Section 302 IPC to Section 304 Part-II IPC deserves outright rejection.

47. For the aforementioned discussion, this Court is of the opinion that the learned trial Court has meticulously appreciated the oral and documentary evidence, applied the correct principles of law, and arrived at a just and reasoned conclusion. We find no infirmity, illegality, or perversity either in the conviction or in the sentence imposed upon the appellants so as to call for interference by this Court.
48. Consequently, the criminal appeal being devoid of merit deserves to be and is hereby **dismissed**. The conviction and sentence imposed upon the appellants for the offences under Sections 302/34 and 201/34 IPC, as recorded by the learned Sessions Judge by judgment dated 31.01.2022, are hereby affirmed.
49. It is stated at the Bar that the appellants are reported to be in custody since 26.09.2017, they shall serve out the sentence as ordered by the learned trial Court.
50. Registry is directed to send a copy of this judgment to the concerned Superintendent of Jail where the appellant is undergoing his jail sentence to serve the same on the appellant informing him that he is at liberty to assail the present judgment passed by this Court by preferring an appeal before the Hon'ble

Supreme Court with the assistance of High Court Legal Services Committee or the Supreme Court Legal Services Committee.

- 51.** Let a certified copy of this judgment along with the original record be transmitted to the trial court concerned forthwith for necessary information and compliance.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

Anu