



CRA-S-1956-SB-2004

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRA-S- 1956- SB-2004
Reserved on: 19.05.2026
Pronounced on: 22.07.2026
Uploaded on: 22.07.2026

Whether only operative part of the judgment is Pronounced: NO

Whether full judgment is pronounced: YES

██████████

Versus

....Appellant

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Rajat Dogra, Advocate for the petitioner.

Mr. Amritpal Singh Gill, DAG, Punjab.

RUPINDERJIT CHAHAL, J. (ORAL)

1. The present appeal has been preferred by the appellant, ██████████
██████████, assailing the judgment of conviction dated 30.07.2004 and the order
of sentence dated 31.07.2004 passed by the learned Additional Sessions
Judge, Fast Track Court, ██████████. Vide the impugned judgment, the
appellant was convicted for the offence punishable under Section 376 of the
Indian Penal Code. Vide the order of sentence, he was sentenced to undergo
rigorous imprisonment for a period of seven years and to pay a fine of
Rs.1,000/-. In default of payment of fine, he was directed to further undergo
rigorous imprisonment for a period of one year.

2. The prosecution case, as unfolded during the trial, is that on
18.02.2004, ASI Shyam Singh (PW-8), while present along with other police



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officials at the bus stand of village [REDACTED], met the prosecutrix, who made a statement before him. She alleged that on 17.02.2004 at about 8:30 a.m., she had gone, as a matter of routine, to ease herself in the fields of one Malkiat Singh, situated at a distance of about five killas from her house. According to the prosecution, the accused, who was already present there, overpowered the prosecutrix, threw her on the ground and committed forcible sexual intercourse with her against her will and without her consent, while threatening to kill her in case she raised an alarm. It was further alleged that the prosecutrix raised a hue and cry, which attracted [REDACTED], son of Sewak Singh, who was grazing goats in the vicinity and is stated to have witnessed the occurrence. On seeing him, the accused fled from the spot. The prosecutrix thereafter returned home and narrated the occurrence to her husband, [REDACTED], on his return in the evening. On the basis of her statement, FIR No. 27 dated 18.02.2004 was registered at Police Station [REDACTED], District [REDACTED], whereupon the investigation commenced.

3. During the course of investigation, the Investigating Officer took into possession the wearing apparel of the prosecutrix, namely her salwar and clothes, prepared the site plan of the place of occurrence, and got the prosecutrix medically examined. The accused was arrested on 19.02.2004 and was also subjected to medico-legal examination by Dr. Fakir Masih, who opined that he was capable of performing sexual intercourse. The medico-legal examination of the prosecutrix was conducted by Dr. Meena H. Singh, who proved the Medico-Legal Report (MLR) on record during the trial. Upon completion of the investigation, the police presented



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the report under Section 173 of the Code of Criminal Procedure before the jurisdictional Court. Finding a prima facie case, the learned trial Court framed charge against the appellant for the offence punishable under Section 376 of the Indian Penal Code, to which he pleaded not guilty and claimed trial.

4. In order to bring home the charge against the appellant, the prosecution examined as many as eight witnesses. The prosecutrix entered the witness box as PW-7, while her husband, [REDACTED] was examined as PW-4. Dr. Meena H. Singh, who medico-legally examined the prosecutrix, appeared as PW-3, whereas Dr. Fakir Masih, who medico-legally examined the accused, was examined as PW-6. The investigation was conducted by ASI Shyam Singh, who stepped into the witness box as PW-8. Besides the oral evidence, the prosecution also tendered in evidence the reports of the Chemical Examiner and the Forensic Science Laboratory, along with the other documentary evidence relied upon in support of its case.

5. After the prosecution concluded its evidence, the statement of the appellant was recorded under Section 313 of the Code of Criminal Procedure, wherein all the incriminating circumstances appearing against him in the prosecution evidence were put to him. The appellant denied the allegations and pleaded that he had been falsely implicated. He, however, did not lead any evidence in defence. Upon appreciation of the evidence on record, the learned trial Court convicted and sentenced the appellant in the manner mentioned hereinabove.

6. Learned counsel for the appellant vehemently contended that the impugned judgment of conviction and the consequent order of sentence



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are legally unsustainable, being the result of a misappreciation of the oral as well as documentary evidence available on record. It was argued that the appellant has been falsely implicated owing to a monetary dispute between him and the husband of the prosecutrix, which furnished a strong motive for his false implication.

7. Learned counsel further submitted that the testimony of the prosecutrix does not inspire confidence and is not of such sterling quality as would justify sustaining the conviction solely on her statement. It was argued that, according to the prosecutrix, the appellant had overpowered her in an agricultural field, thrown her on the ground and committed forcible sexual intercourse against her will. She further claimed to have physically resisted the appellant by struggling with her arms and legs. However, the medico-legal examination of the prosecutrix revealed no external injury whatsoever on any part of her body. It was contended that, in the facts and circumstances of the case, the complete absence of abrasions, scratches, bruises or any other marks of violence renders the prosecution version of a forcible sexual assault highly improbable.

8. It was next argued that the prosecutrix had specifically deposed that one [REDACTED] son of [REDACTED] who was grazing goats nearby, had witnessed the occurrence and that on seeing him the appellant fled from the spot. As a matter of fact, despite projecting [REDACTED] as an eye-witness to the occurrence, the prosecution chose not to examine him during the trial and ultimately gave him up. According to the learned counsel, the deliberate withholding of such a material witness gives rise to an adverse



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inference against the prosecution and deprives the Court of independent corroboration of the prosecutrix's version.

9. Learned counsel further submitted that the prosecutrix had alleged that during the course of the occurrence she had struggled to free herself, as a result whereof the standing crop in the field had been trampled. However, the Investigating Officer admitted during his deposition that no trampled crop was shown in the site plan prepared by him. It was contended that this circumstance materially belies the prosecution version and casts a serious doubt on the alleged manner of occurrence.

10. It was further argued that the testimony of [REDACTED] (PW-4), husband of the prosecutrix, creates a serious dent in the prosecution case. During his cross-examination, he stated that on 18.02.2004 at about 9:00 a.m., he had visited the place of occurrence along with the police officials. Learned counsel submitted that this version is wholly inconsistent with the prosecution case, as the FIR itself came to be registered only at 06:40 in the evening of 18.02.2004. According to the learned counsel, the prosecution has failed to furnish any explanation as to how the police could have visited the place of occurrence several hours prior to the registration of the FIR, thereby rendering the prosecution version doubtful.

11. Learned counsel also assailed the prosecution case on the ground of unexplained delay in lodging the First Information Report. It was submitted that the alleged occurrence had taken place at about 8:30 a.m. on 17.02.2004, whereas the matter was reported to the police only at about 6:40 PM on 18.02.2004. It was argued that although the prosecutrix had admittedly disclosed the incident to her husband on the very same evening,



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no plausible explanation has been offered for the delay of more than thirty-three hours in setting the criminal law into motion. According to the learned counsel, the delay afforded sufficient opportunity for deliberation and consultation, thereby lending credence to the plea of false implication.

12. Lastly, learned counsel submitted that the prosecutrix herself admitted in her cross-examination that several women of the village used to go to the fields to ease themselves at about the same time. She further admitted that her mother-in-law ordinarily accompanied her on such occasions, but had not accompanied her on the day of the alleged occurrence. It was contended that these circumstances render the prosecution story inherently improbable and further weaken its credibility.

13. On the strength of the aforesaid submissions, learned counsel prayed that the present appeal be allowed, the impugned judgment of conviction and order of sentence be set aside, and the appellant be acquitted of the charge by extending to him the benefit of doubt.

14. Per contra, learned State counsel supported the impugned judgment and order of sentence, contending that the learned trial Court had correctly appreciated the oral as well as documentary evidence available on record and had rightly returned a finding of guilt against the appellant. It was submitted that the testimony of the prosecutrix is natural, consistent and trustworthy, and there is no legal impediment in recording a conviction on her sole testimony if the same inspires confidence.

15. Learned State counsel further argued that the delay in lodging the First Information Report has been satisfactorily explained. It was submitted that after the occurrence, the prosecutrix disclosed the incident to



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her husband on his return in the evening and, in cases involving allegations of sexual assault, some delay in approaching the police is neither unnatural nor fatal to the prosecution case, having regard to the social stigma, embarrassment and trauma ordinarily associated with such offences.

16. It was further contended that the version of the prosecutrix stands corroborated by the medical and scientific evidence on record. In this regard, reliance was placed upon the report of the Chemical Examiner, which detected the presence of semen on the wearing apparel of the prosecutrix. It was argued that the evidence led by the prosecution, when appreciated in its entirety, establishes the guilt of the appellant beyond reasonable doubt. On these premises, learned State counsel prayed for the dismissal of the appeal and for affirmance of the judgment of conviction and the order of sentence passed by the learned trial Court.

17. Heard learned counsel for the parties at considerable length, carefully scrutinised the entire trial Court record, minutely examined the evidence led by the parties, and thoughtfully considered the reasoning recorded by the learned trial Court in the impugned judgment. With their able assistance, the rival submissions have been duly appreciated. The question that now falls for consideration is whether the prosecution has succeeded in establishing the guilt of the appellant beyond reasonable doubt and whether the findings recorded by the learned trial Court warrant interference by this Court.

18. Before advertng to the merits, it would be apposite to notice the statutory provisions applicable to the present case. As the occurrence is alleged to have taken place on 17.02.2004, the case is required to be



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examined in the light of the provisions of Section 375 of the Indian Penal Code as they stood prior to their substitution by the Criminal Law (Amendment) Act, 2013, which reads as under:

"375. Rape.—A man is said to commit 'rape' who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the six following descriptions:—

First.—Against her will.

Secondly.—Without her consent.

Thirdly.—With her consent, when her consent has been obtained by putting her or any person in whom she is interested in fear of death or of hurt.

Fourthly.—With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

Fifthly.—With her consent, when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.

Sixthly.—With or without her consent, when she is under sixteen years of age.

Explanation.—Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

Exception.—Sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, is not rape."

19. The fundamental principle of criminal jurisprudence is that the prosecution is under a legal obligation to prove its case beyond reasonable doubt. It is equally well settled that a conviction for the offence punishable under Section 376 IPC can be founded on the sole testimony of the prosecutrix without independent corroboration, provided such testimony is



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found to be wholly reliable, natural, trustworthy and of sterling quality. In this regard, the Hon'ble Supreme Court in ***Rai Sandeep alias Deepu v. State (NCT of Delhi), (2012) 8 SCC 21***, explained the attributes of a witness of sterling quality in the following terms:-

“15. In our considered opinion, the 'sterling witness' should be of a very high quality and caliber whose version should, therefore, be unassailable. The Court considering the version of such witness should be in a position to accept it for its face value without any hesitation. To test the quality of such a witness, the status of the witness would be immaterial and what would be relevant is the truthfulness of the statement made by such a witness. What would be more relevant would be the consistency of the statement right from the starting point till the end, namely, at the time when the witness makes the initial statement and ultimately before the Court. It should be natural and consistent with the case of the prosecution qua the accused. There should not be any prevarication in the version of such a witness. The witness should be in a position to withstand the cross-examination of any length and howsoever strenuous it may be and under no circumstance should give room for any doubt as to the factum of the occurrence, the persons involved, as well as, the sequence of it. Such a version should have co-relation with each and everyone of other supporting material such as the recoveries made, the weapons used, the manner of offence committed, the scientific evidence and the expert opinion. The said version should consistently match with the version of every other witness. It can even be stated that it should be akin to the test applied in the case of circumstantial evidence where there should not be any missing link in the chain of circumstances to hold the accused guilty of the offence alleged against him. Only if the version of such a witness qualifies the above test as well as all other similar such tests to be applied, it can be held that such a witness can be called as a 'sterling witness' whose version can be accepted by the Court



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without any corroboration and based on which the guilty can be punished. To be more precise, the version of the said witness on the core spectrum of the crime should remain intact while all other attendant materials, namely, oral, documentary and material objects should match the said version in material particulars in order to enable the Court trying the offence to rely on the core version to sieve the other supporting materials for holding the offender guilty of the charge alleged.

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24. There is evidence on record that there was no injury on the breast or the thighs of the prosecutrix and only a minor abrasion on the right-side neck below jaw was noted while according to the prosecutrix's original version, the appellants had forcible sexual intercourse one after the other against her. If that was so, it is hard to believe that there was no other injury on the private parts of the prosecutrix... When on the face value the evidence is found to be defective, the attendant circumstances and other evidence have to be necessarily examined to see whether the allegation... was true.”

19.1 Equally settled is the proposition that the absence of injuries on the person of the prosecutrix is not, by itself, sufficient to discredit the prosecution case. This principle stands recognised in ***Ranjit Hazarika v. State of Assam, (1998) 8 SCC 635***, wherein it was held that the mere absence of injuries on the person of the prosecutrix, or of medical corroboration, would not by itself falsify her otherwise cogent and trustworthy testimony. However, where the prosecution itself alleges that the prosecutrix had offered active physical resistance and that the occurrence was accompanied by a violent struggle, the medical and other objective evidence assumes considerable significance in testing the veracity of the



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prosecution version. In such circumstances, if the sole testimony of the prosecutrix is found to be inconsistent with the medical or other objective evidence on material particulars, the Court would be justified in seeking corroboration before recording a finding of guilt.

20. Examined in the light of the aforesaid settled principles, this Court finds that the prosecution version, as projected during the trial, suffers from material infirmities which create a reasonable doubt regarding its truthfulness. According to the prosecutrix (PW-7), the appellant committed forcible sexual intercourse with her against her will. She further deposed that she actively resisted the appellant and struggled to free herself by moving her arms and legs, as a consequence whereof the standing wheat crop was trampled. Thus, the prosecution case is not one of passive submission but of a forceful sexual assault accompanied by active physical resistance.

21. However, the medical evidence does not lend support to the aforesaid version. Dr. Meena H. Singh (PW-3), who medico-legally examined the prosecutrix, did not find any external or internal injury on her person. In the present case, where the prosecutrix herself alleges a violent physical struggle in an agricultural field while resisting the appellant, the complete absence of any abrasion, contusion, scratch or any other mark of violence assumes considerable significance and materially detracts from the prosecution version. The reasoning assigned by the learned trial Court that no injuries were likely to be caused merely because the appellant possessed a stronger physique than the prosecutrix is founded on conjecture and is unsupported either by the medical evidence or by any recognised principle of medical jurisprudence. Consequently, the pristine condition of the



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prosecutrix's body substantially undermines the prosecution case regarding the manner in which the occurrence is alleged to have taken place.

22. The aforesaid doubt is further reinforced by the objective evidence collected during the investigation. The prosecutrix specifically alleged that while resisting the appellant, the standing wheat crop was trampled as a result of the physical struggle. If such a violent struggle had actually taken place in a standing crop, some visible signs thereof would ordinarily have been expected at the place of occurrence. However, the Investigating Officer (PW-8), during his cross-examination, candidly admitted that no wheat crop or any trampled part thereof was depicted in the site plan prepared by him. This omission cannot be lightly brushed aside as a mere lapse in investigation. Rather, it assumes considerable importance, as the alleged physical struggle forms an integral part of the prosecution case itself. The absence of any corresponding physical indication at the place of occurrence substantially undermines the prosecution version regarding the manner and place of occurrence and renders the findings recorded by the learned trial Court on this aspect unsustainable.

23. Another circumstance which assumes considerable significance is the non-examination of [REDACTED], son of [REDACTED]. This Court is conscious of the settled legal position that, in a prosecution for the offence of rape, a conviction can be sustained solely on the testimony of the prosecutrix, provided the same is found to be wholly reliable and inspires confidence. The law does not require that the testimony of the prosecutrix must invariably be corroborated by independent evidence or by the testimony of an eye-witness. However, the present case stands on a different



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footing. According to the First Information Report as well as the testimony of the prosecutrix (PW-7), [REDACTED] was present near the place of occurrence while grazing goats and witnessed the occurrence, whereupon the appellant fled from the spot. The prosecution, thus, itself projected [REDACTED] as a natural and material witness to the occurrence.

24. Despite attributing such a pivotal role to [REDACTED], the prosecution did not examine him during the trial and ultimately gave him up. The learned trial Court justified his non-examination by observing that the witness had left the Court premises on an earlier date without obtaining permission, indicating his reluctance to depose. In the considered opinion of this Court, the said reasoning is wholly unsustainable in law. The inability or failure of the prosecution to secure the presence of its own cited material witness cannot be permitted to operate to the prejudice of the accused. Once the prosecution itself projected [REDACTED] as an independent witness to the occurrence, it was incumbent upon it to make every reasonable endeavour to produce him before the Court. By withholding such a material witness from the witness box, the prosecution failed to place the best available evidence before the Court. In these circumstances, an adverse inference as per Illustration (g) to Section 114 of the Indian Evidence Act, 1872 is liable to be drawn against the prosecution that, had [REDACTED] been examined, his testimony would not have supported the prosecution case.

Section 114 of the Indian Evidence Act, 1872, to the extent relevant, provides:

"114. Court may presume existence of certain facts.—The Court may presume the existence of any fact which it thinks likely to have happened, regard being had to the common course of



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natural events, human conduct and public and private business, in their relation to the facts of the particular case.

Illustrations—The Court may presume that— ...

(g) that evidence which could be and is not produced would, if produced, be unfavourable to the person who withholds it."

25. The prosecution version is rendered further doubtful by the testimony of [REDACTED] (PW-4), the husband of the prosecutrix. During his cross-examination, PW-4 categorically deposed that on 18.02.2004 at about 9:00 a.m., he had visited the place of occurrence along with the police officials. This admission assumes considerable significance inasmuch as the prosecution case itself is that the First Information Report was registered only in the evening of 18.02.2004. The prosecution has failed to furnish any explanation as to how the police officials could have visited the place of occurrence several hours prior to the registration of the FIR. This material inconsistency strikes at the very genesis and chronology of the prosecution case and casts a serious doubt on the fairness of the investigation as well as the authenticity of the prosecution version. Surprisingly, the learned trial Court failed to advert to this vital contradiction while appreciating the evidence on record. The aforesaid circumstance, viewed in conjunction with the other infirmities already noticed, further weakens the prosecution case and entitles the appellant to the benefit arising therefrom.

26. Yet another circumstance which cannot be overlooked is the unexplained delay in setting the criminal law into motion. This Court is conscious of the settled legal position that mere delay in lodging the First Information Report in cases involving sexual offences is not, by itself, fatal to the prosecution case, as the victim and her family may require time to



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overcome the trauma, social stigma and emotional distress associated with such incidents. However, the evidentiary value of such delay has to be appreciated in the backdrop of the facts and circumstances of each case.

27. In the present case, the alleged occurrence is stated to have taken place at about 8:30 a.m. on 17.02.2004. The prosecutrix (PW-7) herself deposed that upon returning home, she narrated the entire occurrence to her husband, [REDACTED] (PW-4), immediately on his return in the evening. Despite the matter having been disclosed to her husband on the very same day, the First Information Report came to be lodged only on 18.02.2004 in the evening. Significantly, neither the prosecutrix nor her husband has furnished any plausible explanation for not approaching the police promptly after the alleged occurrence had been disclosed. In the absence of any satisfactory explanation, the delay assumes significance, particularly when viewed in conjunction with the other material infirmities already noticed by this Court. The possibility of deliberation and consultation before setting the criminal law into motion, therefore, cannot be ruled out. The learned trial Court, while dealing with this aspect, failed to appreciate the delay in its proper perspective and overlooked its cumulative effect on the credibility of the prosecution case.

28. The defence set up by the appellant also cannot be brushed aside in a cursory manner. It is trite that an accused is not required to prove his defence beyond reasonable doubt; it is sufficient if the defence version appears reasonably probable or is capable of creating a doubt in the prosecution case. In the present case, although the said plea by itself may not have been sufficient to discard the prosecution version, the same assumes



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relevance when viewed in the backdrop of the material infirmities already noticed, namely, the inconsistency between the ocular and medical evidence, the absence of any physical signs of struggle at the place of occurrence, the withholding of the solitary independent witness, the unexplained discrepancy regarding the police visiting the place of occurrence prior to the registration of the FIR, and the unexplained delay in lodging the FIR. These circumstances lend a degree of probability to the defence plea and further strengthen the reasonable doubt already created in the prosecution case.

29. The reliance placed by the prosecution on the report of the Chemical Examiner also does not materially advance its case. The said report merely indicates the presence of semen on the wearing apparel of the prosecutrix. It is pertinent to note that the prosecutrix was a married woman residing with her husband, and the prosecution has not led any evidence to establish that the semen detected on her clothes was that of the appellant. In the absence of any serological or other scientific evidence connecting the appellant with the semen stains, the report by itself cannot be treated as an incriminating circumstance sufficient to establish the charge of rape. At the highest, the report establishes the presence of semen on the clothes of the prosecutrix, but it neither identifies its source nor lends assurance to the prosecution version in the face of the material infirmities already noticed by this Court. Consequently, the Chemical Examiner's report does not provide the corroboration necessary to dispel the reasonable doubt arising from the prosecution evidence.

30. Having dealt with the individual circumstances emerging from the evidence on record, this Court now proceeds to examine their cumulative



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effect. It is a settled principle of criminal jurisprudence that while appreciating the evidence in a criminal trial, the Court is not required to examine each circumstance in isolation but must evaluate the entire evidence as a whole to ascertain whether the prosecution has succeeded in establishing the guilt of the accused beyond reasonable doubt.

31. When the evidence on record is appreciated in the aforesaid perspective, the cumulative effect of the circumstances noticed hereinabove creates a serious dent in the prosecution case. The complete absence of injuries despite the specific allegation of a violent physical struggle, the absence of any indication of the alleged trampled wheat crop at the place of occurrence, the withholding of [REDACTED] who was projected by the prosecution itself as a material witness, the unexplained discrepancy regarding the police having visited the place of occurrence prior to the registration of the FIR, the unexplained delay in lodging the First Information Report, the inconclusive nature of the Chemical Examiner's report and the probability of the defence plea, when considered together, create a reasonable doubt regarding the truthfulness of the prosecution version. Individually, each of these circumstances may not have been sufficient to dislodge the prosecution case; however, viewed cumulatively, they render it unsafe to sustain the conviction of the appellant.

32. The learned trial Court, in the opinion of this Court, failed to appreciate the evidence in its correct perspective. Instead of evaluating the cumulative effect of the material infirmities and inconsistencies appearing in the prosecution case, each circumstance was considered in isolation and explained away on conjectures and surmises. Such an approach is contrary



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to the settled principles governing appreciation of evidence in a criminal trial, where the prosecution is required to establish the guilt of the accused beyond reasonable doubt.

33. This Court is not unmindful of the settled legal position that the testimony of a prosecutrix, if found to be wholly reliable and of sterling quality, is sufficient to sustain a conviction even in the absence of independent corroboration. Equally well settled, however, is the principle that such testimony, like that of any other witness, must inspire the confidence of the Court and withstand the test of careful judicial scrutiny. In the present case, for the reasons discussed in the preceding paragraphs, the evidence led by the prosecution falls short of the standard required to record a conviction. The material infirmities noticed during the course of appreciation of evidence create a reasonable doubt regarding the veracity of the prosecution version, and it would, therefore, be unsafe to uphold the conviction of the appellant.

34. It is a cardinal principle of criminal jurisprudence that if two views are reasonably possible on the evidence on record, the one favourable to the accused must be adopted. The benefit of every reasonable doubt must necessarily enure to the accused, for the burden always remains upon the prosecution to prove its case beyond reasonable doubt and never shifts.

35. Consequently, this Court is of the considered view that the prosecution has failed to establish the guilt of the appellant beyond reasonable doubt. The appellant is, therefore, entitled to the benefit of doubt.

36. In view of the aforesaid discussion, the present appeal deserves to be allowed. Accordingly, the impugned judgment of conviction and order



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of sentence passed by the learned Trial Court are hereby set aside. Hence, the appellant [REDACTED], is acquitted of all the charges framed against him by extending benefit of doubt. His bail bonds and surety bonds, if any, stand discharged.

22.07.2026
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(RUPINDERJIT CHAHAL)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No