

**State of Rajasthan and Etc. Vs. Deva Ram**

**State of Rajasthan and Etc. Vs. Deva Ram**

**SooperKanoon Citation :** [sooperkanoon.com/771712](http://sooperkanoon.com/771712)

**Court :** Rajasthan

**Decided On :** Feb-27-2001

**Reported in :** 2001CriLJ2353

**Judge :** N.N. Mathur and; D.N. Joshi, JJ.

**Acts :** Code of Criminal Procedure (CrPC) - Sections 154, 313 and 366; [Indian Penal Code \(IPC\), 1860](#) - Sections 34, 201, 302, 307, 323, 341 and 365

**Appeal No. :** Criminal Murder Reference No. 1, Cri. Jail Appeal No. 460 and Cri. Appeal No. 464 of 2000

**Appellant :** State of Rajasthan and Etc.

**Respondent :** Deva Ram

**Advocate for Def. :** A.R. Nikub, Public Prosecutor

**Advocate for Pet/Ap. :** G.R. Punia,; H.S. Sandhu and; Ranjit Joshi, Adv.

**Judgement :**

**N.N. Mathur, J.**

1. This statutory Murder Reference being 1 /2000 Under Section 366 of the Code of Criminal Procedure, D.B. Criminal Jail Appeal No. 460/2000 Deva Ram v. The State of Rajasthan, D.B. Criminal Appeal No. 508/2000 Deva Ram v. State and

S.B. Criminal Appeal No. 464/2000 Smt. Hira Devi v. State arises from the judgment of the Additional Sessions Judge, Parbatsar, dated 10-8-2000 holding appellant Deva Ram guilty of murder of his father Tiloka Ram. He has been convicted of the offence Under Section 302, I.P.C. and sentenced to death. He has also been convicted of the offence Under Section 201, I.P.C. and sentenced to seven years' rigorous imprisonment and to pay a fine of Rs. 10,000/- and in default of payment of fine to further undergo one year's rigorous imprisonment. Mst. Hira Devi W/Q. Deva Ram has been convicted of the offence Under Section 201, I.P.C. and sentenced to three years' rigorous imprisonment and to pay a fine of Rs. 10,000/- and in default to further undergo one year's rigorous imprisonment.

2. The prosecution case as disclosed during the trial is that appellant Deva Ram, P.W. 3 Shravan Ram and Likhma Ram are the three sons of deceased Tiloka Ram. All the three sons of deceased Tiloka Ram used to live in different 'dhanis' of their fields on the outskirts of village Mandavra, Tehsil Nawa, District Nagpur. Deceased Tiloka Ram used to reside in his residential house at Mandavra. He used to go and visit his sons in their 'dhanis'. It is alleged that while Tiloka Ram had gone to Shravan Ram's dhani, appellant Deva Ram at his back locked his house in village Madavra and raised a dispute with respect to distribution of the property. In order to sort out the dispute, Tiloka Ram asked his son P.W. 3 Shravan Ram to call meeting of the Panchayat including the relatives with a view to settle the entire matter. The panchayat was convened at the place known as 'Bandhe Ki Pal'. This was attended by Dalla Ram (P.W. 6), Dhanna Ram (P.W. 13), Sheoji Ram (P.W. 14) and Nanu Ram (P.W. 15). They are all relatives inasmuch as P.W. 13 Dhanna Ram and P.W. 20 Bhanwarlal are the husbands of deceased Tiloka Ram's sisters. P.W. 15 Nanu Ram is the son-in-law of deceased Tiloka Ram. P.W. 16 Bheru Ram is the brother-in-law of deceased's son P.W. 3 Shravan Ram. P.W. 14 Sheoji Ram is the father-in-law of Shravan Ram's daughter. P.W. 6 Dalla Ram is the uncle father-in-law of Shravan Ram's daughter P.W. 1 Mst. Geeta. It may be stated that other prosecution witnesses in the case are also from the same family i.e. P.W. 11 Mst. Bholki w/o. Tiloka Ram (deceased), P.W. 3 Shravan Ram s/o. deceased Tiloka Ram, P.W. 7 Mst. Panchudi w/o. Shravan Ram, P.W. 1 Mst. Geeta and P.W. 2 Mst. Sita both daughters of Shravan Ram, P.W. 8 Mst. Jhamku w/o. Likhma Ram, P.W. 12 Prem

Kumar s/o. Likhma Ram, P.W. 9 Vimla, daughter-in-law of Likhma Ram and P.W. 4 Jitendra s/o. Shravan Ram.

3. On 23rd June, 1997 at about 5 p.m., all the relatives as stated above, met to resolve the family dispute. P.W. 20 Bhanwarlal tried to make appellant Deva Ram understand. However, the appellant took quarrel with him and, therefore, he left the meeting. Thereafter, appellant Deva Ram alleged to have dragged his father Tiloka Ram towards his field. The persons present on the spot intervened and tried to protect Tiloka Ram. Appellant Deva Ram chased his brother P.W. 3 Shravan Ram. Shravan Ram (P.W. 3) out of fear entered in his dhani. He took out his gun along with cartridges. He along with his son P.W. 4 Jitendra ran towards the police station at Kuchaman City. He informed about the incident to the police at Kuchaman City and deposited the gun and cartridges. The information was entered in the Rojnamcha vide Ex. P. 27. P.W. 17 Girdharilal went to the spot but he did not find anything and, as such, returned back to the police station. In the morning i.e. on 24-6-97 at 11.00, he received an anonymous telephonic call to the effect that appellant Deva Ram has killed his father. This information was entered in the Rojnamcha vide Ex. D. 14A. The police again reached on the spot and recorded the statement of P.W. 2 Mst. Sita. She narrated the entire incident beginning from the assembly of the panchayat. She stated that her uncle appellant Deva Ram tried to drag her grand father towards his field. However, he could be rescued on intervention of the persons assembled on the spot. Thereafter, Deva Ram chased her father. Her father came to the Dhani and after sometime ran towards the Kuchaman City along with her brother Jitendra. He also took away with him the gun and cartridges. She further stated that her grand father was being thrashed by her uncle Deva Ram in the dhani on account of which he fell down on the gate of the field. All the relatives ran away out of fear. After sometime, her sister P.W. 1 Mst. Geeta went to the gate of dhani where her grand father was lying injured in the pool of blood. They tried to make their grand father to sit with a view to take him to dhani. At that time, his uncle appellant Deva Ram returned back and lifted deceased Tiloka Ram and took him towards his dhani. There was light in the dhani of Deva Ram till late night. In the morning at about 8, her father Shravan Ram returned to the dhani. He went back to collect all the relatives with a view to resolve the dispute. She also stated that as her grand father used to stay

with them, both the uncles namely Deva Ram and Likhma Ram were unhappy with him. She also stated that her grand father was thrashed by the appellant Deva Ram on account of property dispute. She also stated that she was not aware about the whereabouts of her grand father. She expressed that her grand father might have been concealed somewhere or killed. She also stated that on the last tuesday. Deva Ram had thrashed her grand father. On the basis of this statement Ex. P. 1 on 24-6-97 at 3.15 p.m., a case was registered at Police Station, Kuchaman City for offence under sections 341, 323, 307, 365/34, I.P.C.

4. The police proceeded with investigation and prepared the site plan Ex. P. 2. The Police also collected the blood stains from the earth. A search of the house of accused Deva Ram was made. The clothes of the accused were recovered vide Ex. P. 8. On 25th June, 1997, Mst. Hira Devi was arrested vide Ex. P. 11. The dead body of Tiloka Ram was recovered from a well vide Ex. P. 10 in pursuance of information given by Mst. Hira Devi vide Ex. P. 22. The dead body was taken out of the well. The inquest report was prepared. The post-mortem of the dead body of deceased Tiloka Ram was performed on the spot by a medical Board of which P.W. 18 Dr. N.K. Mohanpuria was one of the members. He found the following injuries on the person of dead body of Tiloka Ram vide Ex. P. 25.

1. Lacerated wound 12 c.m. x 1 c.m. x bone deep oh forehead oblique in direction;
2. Lacerated wound 5 c.m. x 1.5 c.m. x 1 c.m. on forehead horizontal in direction just above injury No. 1;
3. Incised wound 5 c.m. x 1 c.m. x 1 c.m. -- right parietal base of scalp, antero posterior in direction;
4. Incised wound 1.5 c.m. x 1 c.m. x c.m. -- occipital base of scalp;
5. Lacerated wound 3 c.m. x 1 c.m. x c.m. -- right side of face near angle of mouth;
6. Lacerated wound 2 c.m. x 1 c.m. x 1 c.m. on the back of Rt. elbow;
7. Fracture -- Right humerus upper end;
8. Bruise with fracture radius and ulna lower ends (4x3 c.m.);

9. Fracture -- Rt. femur lower end;

10. Lacerated wound with fracture of lower ends of tibia and fibula (10 c.m. x 6 c.m. bony deep);

11. Bruise with fracture -- Rt. mandible (4x4 c.m.).

5. In his opinion, all the injuries except injuries Nos. 9 and 10 were ante-mortem in nature, he gave out the duration of death 24 to 48 hours from the time of post-mortem. In the opinion of the Board, Tiloka Ram died due to shock resulting from multiple injuries and subdural haematoma.

6. Appellant Deva Ram was arrested on 26-9-97 vide Ex. P. 28. As the appellant Deva Ram was a Constable in the Central Reserve Police Force, he was arrested from his regiment in the Border area. A blood stained 'pharsi' was recovered vide Ex. P. 29 in pursuance of the information given by him. The 'pharsi' was packed and sealed. It was sent to the Forensic Science Laboratory in accordance with the procedure prescribed. After usual investigation, police laid a charge-sheet against appellants Deva Ram and Hira Devi for the offence of murder and cognate offences.

7. Appellants pleaded not guilty to the charges levelled against them and claimed trial. The prosecution in order to establish the charges against the appellant examined 28 witnesses and produced number of documents. The appellants in their statements under Section 313, Cr. P.C. denied the correctness of the prosecution evidence appearing against them. Deva Ram stated that a false case has been foisted against him by the complainant Shravan Ram because his wife Mst. Panchudi was having illicit relations with the deceased. This was objected by him, his mother and the wife. He also stated that after death of his father Tiloka Ram, the complainant got the sale of the land of share of his mother in his own name. He has produced a certified copy of the Khatauni Ex. P. 15. He has also produced certified copies of the suits between the parties vide Ex. D. 16 to Ex. D. 21 A. He also stated that the prosecution witnesses are highly interested witnesses. According to him, Dalla is the father-in-law of Complainant Shravan Ram's daughter Gita. Mst. Jhamku is the wife of complainant's brother. Mst. Vimla

is the wife of complainant's son. Dhanna and Bhanwarlal are the real uncles of the complainant. Sheoji is the father-in-law of complainant's daughter Sita. Nanu is the real brother-in-law (sister's husband) of the complainant. Mohan is the friend of complainant. Second appellant Mst. Hira Devi also stated that she has been falsely implicated with her husband. She also stated that her husband's defence may be taken as her defence. She has four minor children. The accused persons examined two witnesses viz., D.W. 1 Deep Singh and D.W. 2 Badri Prasad Sharma as defence witnesses. The trial Court found the appellant guilty of the murder of his father Tiloka Ram and, as such convicted and sentenced him as noticed above. Appellant Hira Devi has been convicted for the offence Under Section 201, I.P.C. and sentenced as aforesaid.

8. The learned Public Prosecutor and Mr. Ranjit Joshi learned counsel for complainant have supported the Murder Reference. Mr. G.R. Punia, learned counsel for the appellant Deva Ram, contended that the learned trial Court has committed error in convicting the appellant on the testimony of P.W. 1 Geeta, P.W. 2 Sita and P.W. 6 Dalla Ram, who are highly interested and partisan witnesses. It is also urged that the independent witnesses have been withheld by the prosecution. It is further submitted that the entire investigation has been conducted before actual filing of the F.I.R. It is also argued that the F.I.R. is a post investigation document. It is also contended that investigation has not been conducted on the crucial points i.e. with respect to the locking of the house of deceased Tiloka Ram in the village, which is the genesis of the prosecution case. No investigation with respect to possession of the dhani of Deva Ram has been conducted. It is also argued that the recovery of clothes cannot be connected with the crime as even according to the prosecution, they were washed before their seizure. Similarly, the recovery of 'pharsi' is of no avail as no human blood was found thereon as per the F.S.L. report. Mr. H.S. Sandhu, learned counsel appearing for Mst. Hira Devi has argued that the entire case is false and fabricated. It is also submitted that as far as Mst. Hira Devi is concerned, there is no evidence worth in the name supporting her conviction Under Section 201, I.P.C. It is further submitted that the defence case is more probable. Learned Public Prosecutor has supported the judgment of the trial Court.

9. We have bestowed our careful consideration to the rival contentions urged before us and have also carefully perused the record of the trial Court.

10. As far as the principal criticism of the learned counsel for the appellant that all the prosecution witnesses are interested and partisan witnesses as such their evidence is not trustworthy, is concerned, we find no substance therein as the witnesses are equally related to appellants as well as is evident from the reference made in the preceding paras. It is well established that evidence of the material witnesses cannot be discarded merely on the ground that they are relatives of the deceased. Normally, close relations of the deceased are not likely to falsely implicate a person in the incident leading to the death of the relation unless there are strong and cogent reasons to accept such criticism.

11. As far as the criticism with respect to investigation before filing of the F.I.R. is concerned, from the narration of facts, it is clear that at the first instance when P.W. 3 Shraavan Ram gave an information vide Rojnamcha entry Ex. P. 27, nobody knew if Tiloka Ram had died. On the next day, on an anonymous telephonic call vide Rojnamcha entry Ex. D. 14A, the police reached on the spot. The Statement of P.W. 2 Mst. Sita was recorded. P.W. 1 Gita and P.W. 2 Sita had not seen Tiloka Ram breathing last in their presence and, as such, there was no certainty about the death of Tiloka Ram. However, the site plan was prepared and the house of Deva Ram was searched. It is only on 24-6-97 when appellant Mst. Hira Devi was interrogated that the fact of Tiloka Ram's death was confirmed. The S.H.O. being satisfied that a cognizable offence has been committed, he registered the case on the basis of statement of P.W. 2 Mst. Sita. When the information given to police is vague and indefinite, it cannot be treated as F.I.R. Under Section 154, Cr. P.C. In such cases, police officer may make informal or preliminary inquiries to satisfy, if the cognizable offence has been committed and formal investigation is desirable. In the instant case, nothing substantial was done in investigation, till the F.I.R. was registered. The information was given in the intervening night of 23rd and 24th itself but, it was registered at 3.45 on 24th. This delay was because of uncertainty about the death of Triloka Ram. There is no suggestion that statement of P.W. 2 Mst. Sita, which is the basis of F.I.R., was ante timed to give colour to the incident. Thus, we are not impressed with the first contention and the same is rejected.

12. As regards non-mentioning of the names of the accused persons in the inquest report, it is now well established that merely because the names of the accused persons are not mentioned in the inquest report, it cannot be said that the F.I.R. had not been lodged at the time when it is purported to have been lodged. Reference can be made to *BaleshwarMandalv. State*, reported in (1997) 7 SCC 219 : (1997 Cri LJ 4084).

13. P.W. 1 Mst. Geeta is a child witness aged 12 years. She is daughter of appellant Deva Ram's brother P.W. 3 Shraavan Ram. She has stated that a meeting of the Panchayat and the relatives was convened in front of the gate of her 'dhani'. She along with her sister Mst. Sita was standing on the gate of the 'dhani'. She also stated that their house was locked by appellant Deva Ram, therefore, on the request of her grand father, the Panchayat meeting was convened. P.W. 20 Bhanwarlal asked Deva Ram to open the lock on which Deva Ram pushed her grand father Tiloka Ram on account of which he fell down. Her grand father was rescued on intervention by her father. Thereafter, her grand father proceeded towards their 'dhani'. he also left towards Kuchman City carrying gun with him. She also stated that Dalla Ram was also standing there. She further sated that her uncle Deva Ram went to his 'dhani' and returned with a 'pharsi' in hand. He was also carrying gun in his hand. Her grand father was being assaulted by his uncle Deva Ram with both sides of pharsi. She along with her sister Mst. Sita unsuccessfully tried to lift their grand father. Dalla Ram ran away from the spot. Appellant Deva Ram returned and took her grand father with him. She was also asked to return to their 'dhani'. She further stated that Deva Ram dragged her grand father in his 'dhani'. She admitted in the cross examination that police arrived in the morning at about 8 or 9 a.m. She also stated that the police had arrested her aunty Mst. Hirki from the 'dhani' of her uncle Deva. She denied the suggestion that she was not on the spot. This witness cannot be disbelieved simply for the reason that she was stated that the police arrived in the morning at about 8 or 9 a.m. There might be some confusion with respect to actual time of arrival of the police. According to the prosecution case, the police arrived after 11 a.m. As far as the arrest of Mst. Hirki is concerned, at the first instance she has not stated that Mst. Hirki was arrested on the same day. Even according to the prosecution, she was arrested from her 'dhani' no the next day. Even if it is

assumed that she was taken to the Police Station by the police on the same day i.e. on the date of filing of F.I.R., there is nothing unusual as she might have been called for interrogation. Thus, we do not find any infirmity in the statement of P.W. 1 Mst. Geeta. In our opinion, she is a natural and reliable witness. Her statement finds corroboration from the statements of other witnesses and the medical evidence.

14. P.W. 2 Mst. Sita has repeated her statement as given in the F.I.R. Ex. P. 1. In spite of lengthy cross-examination, nothing has been elicited to discredit the testimony of this witness. The statement finds corroboration from the F.I.R. and the medical evidence.

15. P.W. 6 Dalla Ram has stated that he was at the place known as 'Bandhe Ki Pal' along with Bhanwarlal, Dhanji, Kumbha Ram, Bherji, Nanu Ram, Sheoji Ram, Likhma Ram, Shravan Ram, Deva Ram, Tiloka Ram etc. He also stated that Geeta and Sita were also there. He further stated that all the persons were trying to make Deva Ram, Tiloka Ram and Likhma Ram understand. They advised Deva Ram to return the keys of the house of Shravan Ram. Instead of returning the keys, appellant Deva Ram entered in the quarrel with Tiloka Ram. He took Deva Ram to his field. He offered him water. He (Deva Ram), without taking the water, ran with the gun and 'pharsi'. He also followed him. He further stated that Deva Ram gave a 'pharsi' blow on the head of Tiloka Ram It is also stated that Geeta and Sita also advised Deva Ram not to assault Tiloka Ram. He further stated that Hira Devi was also on the spot but he did not see as to what she was doing. In the cross-examination, he admitted that police recorded his statement ten to fifteen days after the incident.

16. P.W. 3 Shravan Ram is the son of deceased Tiloka Ram and brother of appellant Deva Ram. He has given the entire background of the incident. He has stated that Deva Ram was trying to drag his father towards the field. However, he was released on intervention by Dalla Ram, Bhanwarlal and Sheoji Ram etc. He also stated that Deva Ram rushed towards his house. He was followed by Dalla Ram. Deva Ram returned with a gun and pharsi. Dalla Ram advised him to run away else he may be killed. Therefore, he along with his licenced gun and cartridges ran

towards the Kuchaman Police Station. He was accompanied by his son Jitendra. The police went to the spot. He stayed at the Police Station. The police returned and reported that nobody was on the spot. As there was no means of transport available, he stayed in the Kuchaman City till morning. In the morning, he hired a jeep and went to village Gopalpura. He tried to contact his relatives. His father was not available. However, there was blood in the house of Deva Ram. On the next day, Mst. Hira Devi was arrested and the dead body of his father was recovered. Nothing substantial has been elicited in the cross examination to discredit the testimony of this witness.

17. P.W. 4 Jitendra is the son of P.W. 3 Shravan Ram. His statement is almost in the line of his father's statement. Nothing substantial has been elicited in the cross-examination to discredit the testimony of this witness.

18. P.W. 7 Mst. Panchudi is the wife of P.W. 3 Shravan Ram. Her statement is almost in the line of P.W. 2 Sita. In the cross examination, she has denied if the police visited the village during night. She has denied the suggestion that she was having any illicit relations with deceased Tiloka Ram, She stated -- 'Tiloka Ram Mere Se Nahin Bolta Tha'.

19. P.W. 8 Mst. Jhamku is the wife of Likhma Ram. She is also the real sister of co-accused Mst. Hira Devi. She has not supported the prosecution case and, as such, she has been declared hostile.

20. P.W. 9 Smt. Vimla is the daughter-in-law of Likhma Ram; She has also not supported the prosecution case and, as such, she has been declared hostile.

21. P.W. 11 Smt. Bholki Devi, who is the mother of appellant Deva Ram and wife of deceased Tiloka Ram, has also not supported the prosecution case and, as such, she has been declared hostile. In the cross-examination, she has admitted that wife of Shravan Ram was having illicit relations with her husband and, therefore, she was not in talking terms with him. It appears that Mst. Bholki has preferred to protect his son.

22. P.W. 12 Prem Kumar is the child witness of 12 years. He is son of Likhma Ram. He has stated that Shraavan Ram used to beat his grand mother Bholki Devi. He has not supported the prosecution case and, therefore, he has been declared hostile.

23. P.W. 10 Sukha Ram and P.W. 13 Dhanna Ram have not supported the prosecution case and, as such, they have been declared hostile. However, P.W. 14 Sheoji Ram, P.W. 15 Nanu Ram, P.W. 16 Bhenu Ram and P.W. 20 Bhanwarlal have supported the prosecution case to the extent that they had assembled in front of 'dhani' of Shraavan Ram for resolving the dispute between the father and sons. They have also stated that appellant Deva Ram tried to drag his father Tiloka Ram towards his field.

24. P.W. 17 Girdharilal and P.W. 21 Banney Singh have given the details of investigation. P.W. 22 Chhotu Ram, P.W. 24 Rajjak Mohd., P.W. 25 Omprakash, P.W. 26 Rajkumar and P.W. 28 Raghunath Singh are the formal police witnesses.

25. P.W. 27 Mohanlal is the motbir with respect to recovery of the dead body at the instance of Mst. Hira Devi. P.W. 23 Murarilal is a photographer.

26. As far as the evidence of recovery of 'pharsi' from the possession of appellant Deva Ram is concerned, the same is of no use as it was not sent to the Forensic Science Laboratory to establish that there was human blood thereon. Similarly, the recovery of the clothes of deceased is also of no use as even according to the prosecution, the clothes were washed before the same were recovered.

27. Thus, it is evident, that in spite of searching cross examination to P.W. 1 Geeta and P.W. 2 Sita, nothing has been elicited to discredit their testimony. Both the witnesses have seen Tiloka Ram being dragged and then thrashed by appellant Deva Ram. They have not seen when he breathed last, but they have categorically stated that appellant took him to his Dhani. Thereafter, Tiloka Ram was not seen alive, P.W. 6 Dalla has also supported the fact of thrashing given by appellant Deva to deceased Tiloka Ram. The presence of appellant in the village has been admitted by most of the prosecution witnesses. The medical evidence supports the ocular testimony, the fact of thrashing Tiloka Ram at the hands of his son appellant

Deva Ram. The appellant since then absconded. He did not even attend the funeral of his deceased father. In the facts of the case, it is an important incriminating circumstance against the appellant.

28. As far as the defence of the accused appellant is concerned, we have read the statement of both the defence witnesses. Mst. Panchudi is an old lady of 50 years having married children. The story that she was having illicit relations with her father-in-law, an old man of 70 years, is absolutely false and fabricated by the defence. The defence put-forth by the accused persons deserves to be rejected.

29. As far as Mst. Hira Devi is concerned, simply because the dead body of Tiloka Ram has been recovered in pursuance of the information given by her, it cannot be said that she participated in concealing the dead body. There is no other supportive evidence to bring the case against her for the offence Under Section 201 IPC. In absence of any positive evidence, her conviction Under Section 201 IPC cannot be sustained.

30. In view of the aforesaid, we hold that the prosecution has succeeded in establishing that appellant Deva Ram committed murder of his father Tiloka Ram and, as such, he has been rightly convicted for the offence Under Section 302 IPC.

31. Coming to the question of sentence, the trial Court has awarded the death sentence for the single reason that appellant Deva Ram has committed murder of his own father. The incident is unfortunate. Of-course such an act deserves to be condemned. However, this fact alone will not bring the case in the category of 'rarest of rare case'. In our view, there exists no special reasons justifying the imposition of death sentence. Considering all the facts and circumstances of the case, we decline to confirm the death sentence recommended by the learned Additional Sessions Judge. Accordingly, the Murder Reference deserves to be rejected.

32. Consequently, the Murder Reference made by the learned Additional Sessions Judge, Parbatsar is rejected. The sentence of death is commuted to sentence of imprisonment for life and to pay a fine of Rs. 1000/-and in default of payment of fine to further undergo six months' rigorous imprisonment. He is in jail. He will

undergo the remaining part of the sentence. D.B. Criminal Jail Appeal No. 460/2000 and D.B. Criminal Appeal No. 508/2000 are dismissed with the aforesaid modifications as to the sentence. S.B. Criminal Appeal No. 464/2000 'Smt. Hiradevi v. State' is allowed. The conviction of Hira Devi for the offence Under Section 201`IPC is set aside. She is on bail. Her bail bonds stand cancelled.

**SooperKanoon - India's Premier Online Legal Search - [sooperkanoon.com](http://sooperkanoon.com)**