

Atma Singh Vs. Emperor

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Court : Privy Council

Decided On : Jul-23-1945

Reported in : AIR1946PC12

Judge : Lord Thankerton, Lord Goddard & Sir John Beaumont

Appeal No. : Privy Council Appeal No. 14 of 1945 (From Lahore)

Appellant : Atma Singh

Respondent : Emperor

Advocate for Pet/Ap. : G.S. Rewcastle and K.V. Krishna Menon for Appellant; G.D. Roberts and S.P. Khambatta for the Crown. Solicitors for Appellant, Stanley Johnson and Allen; Solicitors for the Crown Solicitor, India Office.

Judgement :

Lord Thankerton:

In the present appeal it appears now that the appellant, while challenging the evidence of the approver, does not in any way challenge the findings of the Court with regard to the search for, and recovery of, a revolver and its connexion with the accused and with the crime. That being so, it seems to their Lordships unnecessary to go any further into a consideration of the approver's evidence because if it is set aside it is clear that there has been no serious miscarriage of justice, there being amply sufficient evidence in the findings with regard to the

revolver, taken along with the dying declaration of the deceased and the evidence of the deceased's elder son, so far as they go, in corroboration of the circumstances. That being so, their Lordships cannot do otherwise than humbly advise His Majesty that this appeal should be dismissed.

Appeal dismissed.

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