

Mohan Singh And Ors. vs The State Of Punjab on 31 March, 1977

Equivalent citations: AIR1977SC1800, 1977CRILJ1446, (1977)4SCC601D, 1977(9)UJ359(SC), AIR 1977 SUPREME COURT 1800, 1978 SC CRI R 81, (1977) 2 SC WR 343, 1977 CRI APP R (SC) 395, 1977 4 SCC 601 (1), 1977 UJ (SC) 359(1)

Author: Y.V. Chandrachud

Bench: P.K. Goswami, P.N. Shinghal, Y.V. Chandrachud

JUDGMENT

Y.V. Chandrachud, J.

1. The evidence of Rakhpal Singh (P.W. 2) is by itself sufficient to prove the charge under Section 302 read with Section 34 of the Penal Code for which the appellants have been convicted. We are unable to accept Mr. Mookherjee's submission that the appellants can, at the highest, be held guilty under Section 304 Part II of the Penal Code. In view of the evidence of Dr. Beant Kaur (P.W. 1) that the injuries found on the person of the deceased were sufficient in the ordinary course of nature to cause death, we have no doubt that the appellants have been rightly convicted under Section 302 read with Section 34 Penal Code. The appeal is accordingly dismissed and the judgment of the High Court is confirmed.