

State Of Punjab vs Mohinder Singh on 2 February, 1983

Equivalent citations: 1983(1)CRIMES735(SC), 1983(1)SCALE112A, (1983)2SCC274, AIRONLINE 1983 SC 6, 1983 (2) SCC 274, (1983) 1 CRIMES 735, 1983 SCC (CRI) 402

Bench: O. Chinnappa Reddy, S. Murtaza Fazal Ali

ORDER

1. The appellant has been convicted under Section 302 IPC and sentenced to imprisonment for life. He has also been convicted under Section 25 and 27 of the Arms Act and sentenced to three months rigorous imprisonment. After going through the evidence of the two doctors it is clear that the accused was suffering from schizophrenia which is one form of insanity. The doctor had examined accused a little before as also a little after the occurrence and he was found insane. The detailed reasons given by both Dr. Harbans Lai and Dr. Rim Kumar have been corroborated by each other. From the evidence also it is clear that he was talking in a very unusual manner saying things to the effect that he had seen Lord Shiva in front of him and the like. It cannot be said that the finding of the High Court was wrong. In view of these circumstances we are not in a position to take a different view particularly when the appellant was suffering from schizophrenia. The appeals are accordingly dismissed.