IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. Appeal No. 326 of 2012
Reserved on: 28.2.2026
Date of Decision: 23.3.2026

Prithi Singh ...Appellant

Versus

State of H.P. ...Respondent

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting?[1] ***Yes.***

For the Appellant : Ms Sheetal Vyas, Advocate.

For the Respondent : Mr Lokender Kutlehria, Additional Advocate General.

Rakesh Kainthla, Judge

The present appeal is directed against the judgment of conviction dated 7.7.2012 and order of sentence dated 10.7.2012, passed by learned Sessions Judge, Kangra at Dharamshala, District Kangra, H.P. (learned Trial Court). *(Parties shall hereinafter be referred to in the same manner as they were arrayed before the learned Trial Court for convenience.)*

2. Briefly stated, the facts giving rise to the present appeal are that the police presented a challan against the accused

[1] Whether reporters of Local Papers may be allowed to see the judgment? Yes.

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for the commission of offences punishable under Sections 353, 341, 332, 333 and 504 read with Section 34 of the Indian Penal Code (IPC). It was asserted that Simro Devi (PW1) visited the house of Piar Chand (since deceased) on 3.3.2009 in the morning and informed him that Prithi Chand and his mother had obstructed her passage by fencing the land. Simro Devi was facing difficulty in taking her cattle. She requested Piar Chand to counsel the accused and his mother. Piar Chand went to the spot with Ami Chand and Simro Devi. He asked Prithi Chand and his mother, Urmila Devi, to remove the fence, however, they abused Piar Chand and told him to do whatever he felt like, and they would not provide any passage. Prithwi Chand picked up a bamboo stick and gave beatings to Piar Chand. They also pushed Simro Devi. Accused Urmila Devi slapped Piar Chand and Simro Devi. Shakuntla (PW2) witnessed the incident. The matter was reported to the police. An Entry No.11 (Ex.PW8/A) was recorded in the police station. ASI Abhimanyu (PW12) went to the hospital for verification. He filed an application (Ex.PW12/A) for the opinion of the Medical Officer regarding the fitness of the injured to make a statement. The Medical Officer certified the fitness of the injured to make the statement vide his opinion (Ex.PW12/A).

ASI Abhimanyu recorded Piar Chand's statement (Ex.PW12/B) and sent it to the Police Station, where FIR (Ex.PW11/A) was registered. ASI Abhimanyu went to the spot and prepared the site plan (Ex.PW12/C). Simro Devi produced the stick (Ex. P1) and Compromise Deed (Ex. PW1/B). These were seized vide memo (Ex.PW1/A). Dr Raj Kumar (PW13) examined Piar Chand and found that he had sustained multiple injuries. He advised X-ray, and as per the opinion of the Radiologist, multiple fractures were detected. Dr Raj Kumar issued a final opinion (Ex.PW13/C) stating that the nature of the injury was grievous and the injuries could have been caused within six hours by means of a stick (Ex. P1). Piar Chand was the Vice President of Gram Panchayat, Sanhoo. A certificate (Ex.PW9/A) to this effect was obtained. A copy of the oath (Ex.PW9/B) taken by Piar Chand was seized. The statements of witnesses were recorded as per their version, and after the completion of the investigation, the challan was prepared and presented before the learned Judicial Magistrate First Class, Palampur, District Kangra, HP, who committed it to the Court of Sessions for trial.

3. Learned Trial Court charged the accused persons with the commission of offences punishable under Sections 353, 341,

332, 333 and 504 read with Section 34 of the IPC, to which they pleaded not guilty and claimed to be tried.

4. The prosecution examined thirteen witnesses to prove its case. Simro Devi (PW1) made a complaint to Piar Chand regarding the obstruction of the passage. Shakuntla Devi (PW2) is an eyewitness. Giatri Devi (PW3) witnessed the recoveries. Bhanu Awasthi (PW4) treated Piar Chand and proved the discharge slip. Sher Singh (PW5) was told about the dispute between the parties. HHC Santosh Kumar (PW6) carried the rukka to the Police Station. Khushal Chand (PW7) proved the compromise deed. HHG Surinder (PW8) proved the entry in the Daily Diary. Satish Kumar (PW9) handed over the certificate and the affidavit. Krishan Kumar (PW10) handed over the list of members of the Panchayat. ASI Subhash Chand (PW11) signed the FIR. ASI Abhimanyu (PW12) investigated the matter. Dr Raj Kumar (PW13) medically examined the injured.

5. The accused, in their statements recorded under Section 313 of Cr.PC denied the prosecution's case in its entirety. They claimed that they were falsely implicated, and the witnesses deposed falsely against them. They did not produce any evidence in defence.

6. Learned Trial Court held that the statements of Simro Devi and Shakuntla Devi corroborated each other regarding the infliction of injuries to Piar Chand. However, they had not attributed any role to Urmila. The medical evidence also corroborated the prosecution's version. Minor contradictions in the statements were not sufficient to discard the prosecution's case. Piar Chand was related to Simro Devi and was not discharging his official duties. No case was registered before the Panchayat. Hence, the learned Trial Court convicted the accused of the commission of an offence punishable under Section 325 of IPC and sentenced him to undergo simple imprisonment for three years, pay a fine of ₹25,000/- and in default of payment of fine, to further undergo simple imprisonment for six months.

7. Being aggrieved by the judgment and order passed by the learned Trial Court, the accused has filed the present appeal, asserting that the learned Trial Court failed to properly appreciate the material. There was a family dispute between the parties. No written complaint was made to the Panchayat, and Piar Chand had visited the spot as a co-sharer. There were many houses in the vicinity, but no person was examined from those houses to prove the prosecution's case. The recovery was not

proved as per the law. Statements of the witnesses contradicted each other on material aspects, and the learned Trial Court erred in relying upon the statements. The sentence imposed is harsh, and the benefit of the Probation of Offenders Act should have been granted to the accused. Hence, it was prayed that the present appeal be allowed and the judgment and order passed by the learned Trial Court be set-aside.

8. I have heard Ms Sheetal Vyas, learned counsel for the appellant/accused, and Mr Lokender Kutlehria, learned Additional Advocate General, for the respondent/State.

9. Ms Sheetal Vyas, learned counsel for the appellant/accused, submitted that the learned Trial Court erred in appreciating the material on record. The statements of the prosecution witnesses contradicted each other on material aspects. The recovery of the weapon of offence was not proved. The relationship between the parties was strained, and the learned Trial Court erred in relying upon the statements of interested witnesses. Therefore, she prayed that the present appeal be allowed and the judgment and order passed by the learned Trial Court be set aside. She submitted that the incident had occurred in the year 2009. Seventeen years have lapsed since

then, and the benefit of the Probation of Offenders Act be extended to the accused.

10. Mr Lokender Kutlehria, learned Additional Advocate General for the respondent State, submitted that the statements of prosecution witnesses corroborated each other on material aspects. The medical evidence also corroborated the statements of the eyewitnesses. Enmity is a double-edged weapon, and no advantage can be derived from it. The accused had caused grievous hurt to an aged person, and no leniency should be shown to him. Hence, he prayed that the present appeal be dismissed.

11. I have given considerable thought to the submissions made at the bar and have gone through the records carefully.

12. Simro Devi (PW1) stated that she was using the path to take her cattle. The accused raised a fence and did not permit her to use the path. She reported the matter to the Panchayat in the year 2006. Panchayat Pradhan and Up-Pradhan Piar Chand got the matter compromised with the accused. A 5 ft. path was provided to Simro Devi for daily use. The accused again blocked the path in the year 2009. She reported the matter to Piar Chand, who was Vice President. Piar Chand, Shakuntla Devi, and she

went to the spot. Piar Chand tried to persuade the accused to open the path, but the accused, Prithi Chand, gave him beating with a stick. Piar Chand suffered injuries on his arms and legs. He was taken to the hospital, and the matter was reported to the police. She stated in her cross-examination that the abadi land was joint and no partition had taken place. She admitted that Piar Chand and Shakuntla Devi were permanent residents of Village Fagota. She had complained to Piar Chand about the obstruction of the path at about 9.00 AM. Shakuntla Devi had accompanied her. Four families used the path. No written complaint was made to the Panchayat. Piar Chand had visited the spot because he was one of the co-sharers. There were many houses in the vicinity. She denied that the injured had fallen on the stone, and a false case was made against the accused due to enmity.

13. Learned Trial Court had rightly pointed out that there was nothing in her cross-examination to show that she was making a false statement. Her statement that the accused had fenced the land is duly corroborated by the statement of Khusal Singh (PW7), who stated that the compromise (Ex.PW1/B) was executed between Simro Devi, Prithi Singh, Vakil Singh, etc after Prithi Singh had fenced the land. His testimony that Prithi Singh

had fenced the land was not challenged in the cross-examination and was accepted as correct. It was laid down by the Hon'ble Supreme Court in ***State of Uttar Pradesh Versus Nahar Singh 1998 (3) SCC 561*** that where the testimony of a witness is not challenged in the cross-examination, the same cannot be challenged during the arguments. This position was reiterated in ***Arvind Singh v. State of Maharashtra, (2021) 11 SCC 1: (2022) 1 SCC (Cri) 208: 2020 SCC OnLine SC 4,*** and it was held at page 34:

> "**58.** A witness is required to be cross-examined in a criminal trial to test his veracity; to discover who he is and what his position in life is, or to shake his credit, by injuring his character, although the answer to such questions may directly or indirectly incriminate him or may directly or indirectly expose him to a penalty or forfeiture (Section 146 of the Evidence Act). A witness is required to be cross-examined to bring forth inconsistencies and discrepancies, and to prove the untruthfulness of the witness. A-1 set up a case of his arrest on 1-9-2014 from 18:50 hrs; therefore, it was required for him to cross-examine the truthfulness of the prosecution witnesses with regard to that particular aspect. The argument that the accused was shown to be arrested around 19:00 hrs is an incorrect reading of the arrest form (Ex. 17). In Column 8, it has been specifically mentioned that the accused was taken into custody on 2-9-2014 at 14:30 hrs at Wanjri Layout, Police Station, Kalamna. The time, i.e. 17, 10 hrs mentioned in Column 2, appears to be when A-1 was brought to the Police Station, Lakadganj. As per the IO, A-1 was called for interrogation as the suspicion was on an employee of Dr Chandak since the kidnapper was wearing a red colour t-shirt which was given by Dr Chandak to his employees. A-1 travelled from the stage of suspect to an accused only on 2-9-2014. Since

no cross-examination was conducted on any of the prosecution witnesses about the place and manner of the arrest, the argument that the accused was arrested on 1-9-2014 at 18:50 hrs is not tenable.

59. The House of Lords, in a judgment reported as ***Browne v. Dunn (1893) 6 R 67 (HL)***, considered the principles of appreciation of evidence. Lord Chancellor Herschell, held that it is absolutely essential to the proper conduct of a cause, where it is intended to suggest that a witness if not speaking the truth on a particular point, direct his attention to the fact by some questions put in cross-examination showing that imputation is intended to be made, and not to take his evidence and pass it by as a matter altogether unchallenged. It was held as under:

> "Now, my Lords, I cannot help saying that it seems to me to be absolutely essential to the proper conduct of a cause, where it is intended to suggest that a witness is not speaking the truth on a particular point, to direct his attention to the fact by some questions put in cross-examination showing that that imputation is intended to be made, and not to take his evidence and pass it by as a matter altogether unchallenged, and then, when it is impossible for him to explain, as perhaps he might have been able to do if such questions had been put to him, the circumstances which it is suggested indicate that the story he tells ought not to be believed, to argue that he is a witness unworthy of credit. My Lords, I have always understood that if you intend to impeach a witness you are bound, whilst he is in the box, to give him an opportunity of making any explanation which is open to him; and, as it seems to me, that is not only a rule of professional practice in the conduct of a case, but is essential to fair play and fair dealing with witnesses. Sometimes reflections have been made upon excessive cross-examination of witnesses, and it has been complained of as undue, but it seems to me that cross-examination of a witness which errs in the direction of excess may be far more fair to him than to leave him without cross-

> examination, and afterwards, to suggest that he is not a witness of truth, I mean upon a point on which it is not otherwise perfectly clear that he has had full notice beforehand that there is an intention to impeach the credibility of the story which he is telling."

60. Lord Halsbury, in a separate but concurring opinion, held as under:

> "My Lords, with regard to the manner in which the evidence was given in this case, I cannot too heartily express my concurrence with the Lord Chancellor as to the mode in which a trial should be conducted. To my mind, nothing would be more absolutely unjust than not to cross-examine witnesses upon evidence which they have given, so as to give them notice, and to give them an opportunity of explanation, and an opportunity very often to defend their own character, and, not having given them such an opportunity, to ask the jury afterwards to disbelieve what they have said, although not one question has been directed either to their credit or to the accuracy of the facts they have deposed to."

61. This Court, in a judgment reported as ***State of U.P. v. Nahar Singh, (1998) 3 SCC 561: 1998 SCC (Cri) 850***, quoted from ***Browne v. Dunn, (1893) 6 R 67 (HL)*** to hold that in the absence of cross-examination on the explanation of delay, the evidence of PW 1 remained unchallenged and ought to have been believed by the High Court. Section 146 of the Evidence Act confers a valuable right of cross-examining the witness tendered in evidence by the opposite party. This Court held as under: (***State of U.P. v. Nahar Singh, (1998) 3 SCC 561: 1998 SCC (Cri) 850***], SCC pp. 566-67, para 13)

> "*13*. It may be noted here that part of the statement of PW 1 was not cross-examined by the accused. In the absence of cross-examination on the explanation of the delay, the evidence of PW 1 remained unchallenged and ought to have been believed by the High Court. Section 138 of the Evidence Act confers a valuable right of cross-examining the witness tendered in evidence by the opposite party. The scope of that provision is

enlarged by Section 146 of the Evidence Act by allowing a witness to be questioned:

(*1*) to test his veracity,

(*2*) to discover who he is and what his position in life is, or

(*3*) to shake his credit by injuring his character, although the answer to such questions might tend directly or indirectly to incriminate him or might expose or tend directly or indirectly to expose him to a penalty or forfeiture."

62. This Court, in a judgment reported ***Muddasani Venkata Narsaiah v. Muddasani Sarojana, (2016) 12 SCC 288: (2017) 1 SCC (Civ) 268,*** laid down that the party is obliged to put his case in cross-examination of witnesses of the opposite party. The rule of putting one's version in cross-examination is one of essential justice and not merely a technical one. It was held as under: (SCC pp. 294-95, paras 15-16)

"*15.* Moreover, there was no effective cross-examination made on the plaintiff's witnesses with respect to the factum of execution of the sale deed. PW 1 and PW 2 have not been cross-examined as to the factum of execution of the sale deed. The cross-examination is a matter of substance, not of procedure. One is required to put one's own version in the cross-examination of the opponent. The effect of non-cross-examination is that the statement of the witness has not been disputed. The effect of not cross-examining the witnesses has been considered by this Court in ***Bhoju Mandalv.Debnath Bhagat, AIR 1963 SC 1906***. This Court repelled a submission on the ground that the same was not put either to the witnesses or suggested before the courts below. A party is required to put his version to the witness. If no such questions are put, the Court would presume that the witness account has been accepted as held in ***Chuni Lal Dwarka Nath v. Hartford Fire Insurance Co. Ltd., 1957 SCC OnLine P&H 177: AIR 1958 P&H 440***.

> *16*. In ***Maroti Bansi Teli v. Radhabai, 1943 SCC OnLine MP 128: AIR 1945 Nag 60***, it has been laid down that the matters sworn to by one party in the pleadings not challenged either in pleadings or cross-examination by another party must be accepted as fully established. The High Court of Calcutta in ***A.E.G. Carapiet v. A.Y. Derderian, 1960 SCC OnLine Cal 44: AIR 1961 Cal 359*** has laid down that the party is obliged to put his case in the cross-examination of witnesses of the opposite party. The rule of putting one's version in cross-examination is one of essential justice and not merely a technical one. A Division Bench of the Nagpur High Court, ***Kuwarlal Amritlal v. Rekhlal Koduram, 1949 SCC OnLine MP 35: AIR 1950 Nag 83*** has laid down that when attestation is not specifically challenged, and the witness is not cross-examined regarding details of attestation, it is sufficient for him to say that the document was attested. If the other side wants to challenge that statement, it is their duty, quite apart from raising it in the pleadings, to cross-examine the witness along those lines. A Division Bench of the Patna High Court in ***Karnidan Sardav.Sailaja Kanta Mitra, 1940 SCC OnLine Pat 288: AIR 1940 Pat 683*** has laid down that it cannot be too strongly emphasised that the system of administration of justice allows of cross-examination of opposite party's witnesses for the purpose of testing their evidence, and it must be assumed that when the witnesses were not tested in that way, their evidence is to be ordinarily accepted. In the aforesaid circumstances, the High Court has gravely erred in law in reversing the findings of the first appellate court as to the factum of execution of the sale deed in favour of the plaintiff."

14. Shakuntla Devi (PW2) stated that Simro Devi had told her that the accused Prithi Singh was not permitting her to use the path. She went to the spot. The accused gave beatings to Piar Chand with sticks. Pair Chand sustained injuries on his head, arm and ankle. He was taken to the hospital. She stated in her cross-

examination that Simro Devi had visited her house, and she accompanied Simro. Only 2-3 people were present. Her statement was recorded after 2-3 days of the incident. She admitted that the relationship between Simro Devi and Prithi Singh was not cordial. She admitted that she and Piar Chand also had strained relations with the accused. She admitted that Piar Chand was a co-owner and had visited the spot in his capacity as a co-owner. She denied that the accused had not caused any injury to Piar Chand.

15. Learned Trial Court had rightly held that there was nothing in her statement to show that she was making a false statement. Her name was mentioned in the FIR, and her presence on the spot cannot be doubted. Her testimony cannot be rejected because she had a strained relationship with the accused. It was laid down by the Hon'ble Supreme Court in ***Annaporna Dutt v. State of U.P., 1993 Supp (2) SCC 246: 1993 SCC (Cri) 502*** that the testimony of a witness cannot be rejected because of the land dispute. It was observed at page 253:

> "6..... The existence of a dispute over landed property appears to be the cause for bad relations between the parties, but simply because there is a dispute in respect of a landed property, the prosecution's story is not required to be discarded outright on the footing that the witnesses

> for the prosecution were all partisan witnesses and had deposed falsely to implicate the accused persons...."

16. The statements of these witnesses are duly corroborated by the statement of Dr Raj Kumar (PW13), who found a lacerated wound on the occipital bone which could have been caused by means of a stick (Ex.P1). These injuries corroborate the statement of Simro Devi (PW1) and Shakuntla (PW2) that the accused had inflicted the injuries on Piar Chand.

17. Dr. Raj Kumar (PW13) specifically denied in his cross-examination that injuries noticed by him were possible by a fall from a height of 8-10 ft. Thus, he has not supported the alternative hypothesis that the injuries could have been caused by means of a fall.

18. Dr. Bhanu Awasthi (PW4) treated Piar Chand for the fractures sustained by him. He issued the discharge slip. Thus, it was duly proved that Prithi Singh had caused grievous injuries to Piar Chand, and the learned Trial Court had rightly convicted him of the commission of an offence punishable under Section 325 of the IPC.

19. The report of the Probation Officer was called during the proceedings, and the Probation Officer stated that the accused was unwell and was suffering from a lung and kidney

infection. His aged mother is dependent upon him. The accused was remorseful about the incident, and it was recommended that the benefit of the Probation of Offenders Act be granted to him to enable him to rehabilitate himself in society.

20. It was laid down by the Hon'ble Supreme Court in ***Arvind Mohan Sinha v. Amulya Kumar Biswas*, *(1974) 4 SCC 222: 1974 SCC (Cri) 391: 1974 SCC OnLine SC 13*** that the provisions of the Probation of Offenders Act are reformative, meant to rehabilitate the offenders into society. It was observed at page 225:

> "**11.** The Probation of Offenders Act is a reformative measure, and its object is to reclaim amateur offenders who, if spared the indignity of incarceration, can be usefully rehabilitated in society. A jail term should normally be enough to wipe out the stain of guilt, but the sentence which the society passes on convicts is relentless. The ignominy commonly associated with a jail term and the social stigma which attaches to convicts often render the remedy worse than the disease, and the very purpose of punishment stands in the danger of being frustrated. In recalcitrant cases, punishment has to be deterrent so that others similarly minded may warn themselves of the hazards of taking to a career of crime. But the novice who strays into the path of crime ought, in the interest of society, be treated as being socially sick. Crimes are not always rooted in criminal tendencies, and their origin may lie in psychological factors induced by hunger, want and poverty. The Probation of Offenders Act recognises the importance of environmental influence in the commission of crimes and prescribes a remedy whereby the offender can be reformed and rehabilitated in society. An attitude of

social defiance and recklessness, which comes to a convict who, after a jail term, is apt to think that he has no more to lose or fear, may breed a litter of crime. The object of the Probation of Offenders Act is to nip that attitude in the bud. Winifred A. Elkin describes probation as a system which provides a means of re-education without the necessity of breaking up the offender's normal life and removing him from the natural surroundings of his home [***English Juvenile Courts, (1938) p. 162***]. Edwin H. Sutherland raises it to the status convicted offender. [***Principles of Criminology 4th Edn. (1947)*** p. 383]

12. The probationary system in our country is sometimes described as a boon of political freedom, but that does less than justice to true history. The Dharamshastras did not ordain similar punishment for similar offences irrespective of the antecedents and the physical and mental condition of the offender. [***History of Dharmashastra by Dr P.V. Kane, Vol III***, p. 392, (1946 Edn.)] Dr P.K. Sen has pointed out in his *Tagore Law Lectures on* ***"Penology Old and New"*** (1943, p. 110) that the directions given by the ancient lawgivers in the matter of punishment compare favourably with the advanced modern systems as regards the relevance of the objective circumstances attendant on the commission of the crime and the subjective limitations of offenders. Probationary laws were passed by several erstwhile provinces prior to Independence, but their provisions were seldom enforced in practice. Section 562 of the Code of Criminal Procedure also contains a provision enabling the Court to release certain offenders on probation of good conduct instead of sentencing them at once.

13. There is no foundation for the fear that offenders released on probation may hold society to ransom, and society may therefore look upon the release of offenders on probation as the triumph of criminals over the weaknesses of law. An offender released on probation is convicted but not forthwith sentenced in the sense of penal laws. Under the disposition made by the Court, the sentence is suspended during the period of probation. Section 4(1) of the Act provides that instead of sentencing the offender "at once", the Court may direct his release on his entering

> into a bond to "receive sentence when called upon" during the probationary period and in the meantime to keep the peace and be of good behaviour. Thus, it is only in a limited, though a socially significant, sense that the Act constitutes an exception to the broad and general principle of criminal law embodied, for example, in Sections 245(2), 258(2), 306(2) and Section 309(2) of the Code of Criminal Procedure, that a sentence shall follow on a conviction.

21. It was held in ***Chellammal v. State, 2025 SCC OnLine SC 870,*** that the Court has to mandatorily consider the release of the offender on probation. It was observed:

> "**28.** Summing up the legal position, it can be said that while an offender cannot seek an order for grant of probation as a matter of right but having noticed the object that the statutory provisions seek to achieve by grant of probation and the several decisions of this Court on the point of applicability of Section 4 of the Probation Act, we hold that, unless applicability is excluded, in a case where the circumstances stated in sub-section (1) of Section 4 of the Probation Act are attracted, the court has no discretion to omit from its consideration release of the offender on probation; on the contrary, a mandatory duty is cast upon the court to consider whether the case before it warrants releasing the offender upon fulfilment of the stated circumstances. The question of the grant of probation could be decided either way. In the event the court, in its discretion, decides to extend the benefit of probation, it may, upon considering the report of the probation officer, impose such conditions as deemed just and proper. However, if the answer be in the negative, it would only be just and proper for the court to record the reasons therefor.

22. In the present case, the incident occurred in the year 2009. The victim has since expired. There was no premeditation. The accused is ill, and his mother is also dependent upon him. Sending the accused to prison would compromise his health, and

his mother would suffer for no fault of hers. The accused was not involved in any other incident during the past 17 years. The Probation Officer has also recommended the grant of probation to the accused. Therefore, it is ordered that the accused would be released on his entering into bond of ₹50,000/- with one surety to the like amount to the satisfaction of learned Trial Court to appear and receive sentence as and when called upon to do so within the next three years as the Court may direct and, in the meantime, to keep the peace and be of good behaviour. The bonds be furnished within a period of four weeks from today to the satisfaction of the learned Trial Court.

23. In view of the above, the present appeal is partly allowed, and the order passed by the learned Trial Court sentencing the accused is ordered to be set aside, and the accused is ordered to be released on probation, as directed above.

24. A copy of this judgment, along with the records of the learned Trial Court, be sent back forthwith. Pending miscellaneous application(s), if any, also stand(s) disposed of.

(Rakesh Kainthla)
Judge

23rd March, 2026
(Chander)