



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

(I) CRA-D-673-DB-2004 (O&M)

Manoj Kumar ... Appellant

Versus

State of Haryana ... Respondent

(II) CRA-D-176-DB-2005 (O&M)

Virender and another ... Appellants

Versus

State of Haryana ... Respondent

Date of Decision:-13.5.2025

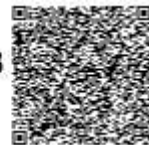
**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL
HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Karambir Singh Nalwa, Advocate with
Ms. Ashima Attri, Advocate and
Mr. Lalit Sharma, Advocate for the appellant(s).

Mr. Munish Sharma, DAG, Haryana.

GURVINDER SINGH GILL, J.

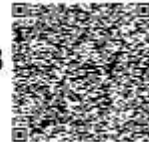
1. This judgment shall dispose of above-mentioned set of two appeals i.e. CRA-D-673-DB-2004 filed on behalf of appellant – Manoj Kumar & CRA-D-176-DB-2005 filed on behalf of appellants – Virender and Satish Kumar @ Satti, wherein the appellants assail their conviction for offence punishable under Sections 302 & 324 read with Section 34 of Indian Penal Code as recorded by



learned Additional Sessions Judge, Karnal vide judgment dated 31.5.2004 pursuant to which they have been sentenced to undergo rigorous imprisonment for life and have also been imposed a fine amount to Rs.5,000/- each.

2. The matter arises out of FIR No.405 dated 28.8.2002 registered at Police Station City Karnal, under Sections 302/324 read with Section 34 of Indian Penal Code at the instance of Amit Kumar (PW-5). The translated gist of his statement (Ex.PF) leading to FIR is reproduced herein-under:

“I am a resident of Hansi Road, Karnal and am working at the shoes shop of Karam Chand in Karnal. Yesterday i.e. on 27.8.2002 at about 08:30 P.M. when I was returning home from the shop of Munshi Ram Sweets after purchasing curd, I found Sham Lal standing near Dhawan Hospital. He called me and I went up to him and started conversing with him. In the meantime, Satti @ Satish, Shippu @ Varinder Kumar and Sonu came there from the side of Hansi Chowk, Karnal. Sonu caught hold of Sham Lal and Shippu gave blow with a barber’s scissors on the left side of his chest near nipple, on the middle portion of chest towards the left, on right side of chest and on his right forearm. When I tried to separate them, then Satti took scissors from Shipu and inflicted injuries to me on the left side of my abdomen and on my left shoulder. I raised alarm ‘bachao-bachao’, which attracted Narinder Kumar son of Sham Lal’s uncle. When Narinder Kumar tried to rescue us, Shippu gave a blow with scissors on his waist. Sham Lal became unconscious and fell down. I and Narinder picked up Sham Lal and took him to Dhawan Hospital for treatment from where he was referred to Government Hospital. Shortly thereafter Gurcharan Singh, father of Narinder also came to Dhawan Hospital. We took Sham Lal to Government Hospital, Karnal for treatment. After about half an hour, Sham Lal succumbed to his injuries. The reason for inflicting injuries is that earlier on the day of ‘Raksha Bandhan’ there had



been an exchange of abuses between Sham Lal and Shippu. They have caused injuries in furtherance of their common intention to inflict injuries to me and Narinder and to kill Sham Lal. Action be taken.”

3. The aforesaid statement (Ex.PF) of complainant Amit Kumar (PW-5) was recorded by Sub Inspector Som Nath (PW-14), who had gone to the hospital on the morning of 28.8.2002 pursuant to receipt of intimation from the hospital regarding admission of injured. After recording statement (Ex.PF) of Amit Kumar, the same was sent to the police station for lodging FIR. Since Sham Lal had already expired, inquest proceedings were conducted by Sub Inspector Som Nath (PW-14). Post-mortem examination was also got conducted on the dead body. Sub Inspector Som Nath thereafter alongwith other police officials visited the place of occurrence, where a rough site plan ‘Ex.PQ’ was prepared. Statements of witnesses were recorded in terms of provisions of Section 161 Cr.P.C. Thereafter, on 28.8.2002 the investigation of the case was taken over by Inspector Rajesh Kumar, Station House Officer (PW-15). On 30.8.2002 all the three accused were arrested. Upon interrogation, accused Virender @ Sipu made a disclosure statement (Ex.PQ) to the effect that he had kept a scissors concealed by burying it near a urinal built near a dirty drain on Gogripur Road. It is further the case of prosecution that pursuant to the said disclosure statement Virender @ Sipu got the scissors recovered, which were taken into possession vide recovery memo Ex.PS.
4. Upon conclusion of investigation, challan was presented against the accused in the Court of learned Chief Judicial Magistrate, Karnal on 17.10.2002 who committed the case to the Court of Sessions vide commitment order dated



16.11.2002. Learned Additional Sessions Judge, Karnal framed charges against the accused for offence under Sections 302/324 read with Section 34 of Indian Penal Code on 21.12.2002 to which the accused pleaded not guilty and claimed trial.

5. The prosecution, in order to substantiate the charges framed against the accused, examined as many as 15 PWs. The gist of their testimonies is being briefly referred to herein under:-

PW-1 Dr. Umesh Mehta, Government Hospital, Karnal, who alongwith Dr. Om Pal had conducted the post-mortem examination on the dead body of Sham Lal proved the post-mortem report as Ex.PA. He stated that as per their opinion the cause of death was on account of the injuries on the vital organs sustained by the deceased leading to hemorrhage and shock, which were sufficient to cause death in ordinary course of nature.

PW-2 Head Constable Vinod Kumar stated that on 28.8.2002 he had handed over 3 parcels containing belongings of Sham Lal deceased, Amit and of Narinder to Sub Inspector Som Nath, which were taken into possession by the police vide recover memo Ex.PB.

PW-3 ASI Prem Chand stated that on 28.8.2002 at about 12:15 A.M. he had received a telephonic message from General Hospital, Karnal pursuant to which he went to the hospital and moved an application Ex.PC seeking opinion of the doctor regarding fitness of Amit and Narinder, but they were declared unfit for making any statement. He further stated that he remained associated with investigation of the case and that on 8.10.2002, pursuant to a direction by Station



House Officer he had taken out sealed parcels of scissors from the 'malkhana' and had sought opinion of the doctor with regard to possibility of use of scissors for the purpose of causing injuries and that the doctor after examining the scissors had given his opinion Ex.PD/1 and that thereafter he handed over the parcels to the MHC of the police station.

PW-4 Constable Prem Kumar, Draftsman stated that on 28.9.2002 he had visited the place of occurrence and had prepared the scaled site plan Ex.PE.

PW-5 Amit Kumar, who is the complainant in the present case, stated in detail with regard to the incident in question on the same lines as per his statement Ex.PF on the basis of which FIR had been lodged.

PW-6 Head Constable Randhir Singh, MHC, tendered his affidavit Ex.PH in evidence, wherein he deposed that on 28.8.2002 he was posted as MHC in Police Station City Karnal and on the said day Sub Inspector Som Nath had deposited parcels with respect to the case property. He further stated that on 30.8.2002 Inspector Rajesh Kumar deposited a parcel containing scissors and that on 8.10.2002 ASI Prem Singh under orders of SHO had been handed over the parcel containing scissors for seeking opinion of the doctor, which was deposited back with him on the same day. He further stated that the case property was sent to Forensic Science Laboratory, Madhuban on 11.10.2002 and that as long as the case property remained in his possession, the same was not tampered with.

PW-7 Narinder Kumar, who is an injured witness, narrated the incident in the same manner as narrated by the complainant Amit Kumar (PW-



5). He specifically stated with regard to inflicting of injuries by the accused to the deceased and also to Amit Kumar and also to himself (Narinder Kumar).

PW-8 Constable Banarasi Dass tendered his affidavit Ex.PJ in evidence, wherein he deposed that he was posted on general duty at Chowki Sadar Bazar, Karnal on 11.10.2002 and that on the said day MHC Randhir Singh handed over three parcels of clothes and another parcel containing scissors, which he deposited in the office of Forensic Science Laboratory, Madhuban on the same day and that as long as the case property remained in his possession, the same was not tampered with.

PW-9 Sunil Pal stated that on 27.8.2002 at about 08:30 P.M. when he was going towards Hansi Chowk for evening walk then he heard an alarm '*bachao bachao*' being raised and he rushed to the spot and saw that Sonu and Satti had caught hold of Sham Lal while Shippu was inflicting injuries to the Sham Lal with a scissors in front of Dhawan Hospital. He further stated that thereafter when Amit Kumar tried to intervene then Satti took the scissors from Shippu and inflicted a blow with the same to Amit Kumar and later when Narinder Kumar (PW-7) also reached at the spot and tried to rescue them, then Shippu took the scissors from Satti and inflicted injury to Narinder.

PW-10 ASI Prem Singh stated that on 28.8.2002 he was posted in Police Station, City Karnal and upon receipt of statement (Ex.PF) of Amit Kumar he had recorded formal FIR (Ex.PF/1).



PW-11 Dr. Deepak Parkash, Medical Officer, General Hospital, Karnal stated that on 27.8.2002 he had medico-legally examined Sham Lal and had recorded 5 injuries on his person. He proved the MLR as Ex.PK. He further stated that on the same day he also examined Amit Kumar and had found three injuries on his person, which he had recorded in his MLR Ex.PL. He further stated that on the same day he had also examined Narender, who was found to be having one injury, which he had recorded in his MLR Ex.PM and that after examining the aforesaid injured, he had sent a *ruqa* (Ex.PN) to the Police Post, General Hospital, Karnal at about 09:30 P.M. He further stated that Sham Lal, however, expired at about 10:00 P.M. and thereafter had sent another *ruqa* (Ex.PO) to the police post. He stated that on 28.8.2002 the police had moved an application Ex.PC at about 01:00 A.M. inquiring about the fitness of injured Amit Kumar and Narinder and that he had declared both of them unfit for making statements and later when another application was moved by the police at about 10:00 A.M. as regards their fitness, he had declared them fit for the purpose of making statements.

PW-12 Sub Inspector Baljit Singh stated that he had taken over investigation of the case on 28.9.2002 and had recorded statement of Constable Prem Singh, Draftsman and also of formal witnesses Head Constable Randhir Singh and Banarasi Dass.

PW-13 Constable Roshan Lal stated that on 28.8.2002 he had delivered the special reports to the Illaqa Magistrate and also to other higher police officers.



- PW-14** Sub Inspector Som Nath, who had recorded the statement of complainant Amit Kumar Ex.PF leading to lodging of FIR (Ex.PF/1) and had also conducted the initial investigation of the case stated in detail with regard to the same.
- PW-15** Inspector Rajesh Kumar stated that he had taken over investigation of the case from Sub Inspector Som Nath on 28.8.2002 and that the accused were arrested in the case on 30.8.2002. He further stated that he interrogated accused Virender, who disclosed about concealment of scissors and got the same recovered pursuant to his disclosure statement Ex.PQ.
6. The prosecution tendered into evidence report of Forensic Science Laboratory as Exs.PU & PUU/1 and closed its evidence. Upon closure of the prosecution evidence, statements of the accused were recorded in terms of provisions of Section 313 Cr.P.C., wherein they pleaded false implication and stated that the deceased had been killed by some unknown persons when it was dark and that they have been falsely implicated at the instance of Karam Singh, Municipal Commissioner. It was further pleaded by accused Manoj Kumar that the deceased was a 'goonda', who used to tease girls of the locality and had many enemies on account of the same.
7. In their defence, the accused examined **DW-1** Miki Ram, who stated that he knew Sonu as well as his father Suraj Bhan and that Suraj Bhan used to treat injured animals and gave free treatment and served them from his own pocket and used to visit several villages for treating animals and when he came to know that his innocent son has been involved in the present case, he died due to shock.



8. Learned Trial Court upon appraisal of the evidence on record held that the charges framed against the accused stood fully substantiated and consequently held the accused guilty of having committed offence punishable under Sections 302 & 324 read with Section 34 of Indian Penal Code.
9. Learned counsel representing the appellants, while assailing the impugned judgment, broadly made the following submissions:
- (i) that the prosecution version that one of the accused was carrying scissors which were used by other accused as well does not seem to be probable inasmuch as in case the accused had really intended to kill the deceased then all of them would have been carrying weapons:
 - (ii) that the injuries as described by the doctors could not have possibly been inflicted with the scissors inasmuch as the width of the injuries found on the body of the deceased is much lesser than the width of the scissors;
 - (iii) that there is inconsistency in the description of injuries of Sham Lal as recorded by PW-11 Dr. Deepak Parkash before his death and the injuries as found on the dead body, which had been subject to post-mortem examination by PW-1 Dr. Umesh Mehta.
 - (iv) that the intention of the police to falsely implicate the accused would be evident from the fact that one person namely Sunil Pal (PW-9) has been introduced as an eye-witness, whereas his name nowhere figures in the FIR;



- (v) that not only the factum of recovery of scissors is doubtful, but since even the scissors were not found to be blood stained, no weightage can be given to the alleged recovery of scissors;
- (vi) that there are various discrepancies and inconsistencies in the statements of the witnesses, which leave their testimonies unreliable and consequently in the absence of trustworthy evidence, the accused deserve to be acquitted.
10. Opposing the appeals, learned State counsel submitted that it is a case wherein 2 of the witnesses were themselves injured in the occurrence, who have given a consistent account of the incident, which finds ample corroboration from the medical evidence as well and, as such, the findings of the Trial Court do not call for any interference.
11. We have considered rival submissions addressed before this Court and with the assistance of learned counsel have also perused the record of the case.
12. Since it is a case where the deceased as well as the complainant and another PW i.e. PW-7 Narinder Kumar are stated to have received injuries at the hands of the accused with the help of scissors, it is apposite to first of all refer to the medical evidence led by the prosecution in this regard particularly as regards the injuries found on the dead-body. In the instant case, while the occurrence is stated to have taken place on 27.8.2002 at about 08:30 P.M. the deceased Sham Lal was examined by Dr. Deepak Parkash (PW-11) at about 09:15 P.M., the complainant Amit Kumar (PW-5) was examined by him at about 09:20 P.M. and Narinder Kumar (PW-7) was examined at about 09:40 P.M.



13. PW-11 Dr. Deepak Parkash, while proving the MLR in respect of Sham Lal as Ex.PK, described the injuries found on his person as under:

- “1. A punctured wound measuring .2 cms. on the anterior aspect of the right fore-arm X .1 cm. depth could not be ascertained. Margins were clean cut. Fresh bleeding was present. It was situated 6 cms. below cubital fossa.
2. A punctured wound measuring 2 cms. X .1 cm. just adjoining the injury no.1 fresh bleeding was present.
3. A punctured wound measuring .2 X .2 cms. depth could not be ascertained on the left side of the chest situated 5 cms. lateral to nipple with mark of fresh bleeding. Surgical emphysema was present. Air entry was dimension on left side. X-ray was advised.
4. A punctured wound .2 cms. X .1 cm. on the left side of chest at the anterior axillary line situated 8 cms. below and lateral to the nipple. X-ray was advised.
5. A punctured wound .2 cms. X .1 cm. on the left side of chest situated 3 cms. lateral to injury no.4. Surgical emphysema was present. Depth could not be ascertained. X-ray was advised.”

14. However, Sham Lal could not survive and expired at about 10:00 P.M. Later his dead body was subjected to post-mortem examination, which was conducted by PW-1 Dr. Umesh Mehta, who described the injuries found on the dead body as under:

- “1. Superficial lacerated wound on right forearm .8 cms X .5 cms.
2. Superficial lacerated wound on right forearm near injury No.0. .4 cm. X 0 cm in size.
3. Three punctured wounds on the chest:
 - (i) 3 cms. from nipple. 0.5 X 0.5 cm in size.



- (ii) 8 cms. below the injury No.1 in anterior axillary line 0.5 X 0.5 cm in size.
 - (iii) 8 cms. lateral to injury No.2 in mid axillary line 0.5 X 0.5 cms.”
- 15. PW-1 Dr. Umesh Mehta opined that the cause of death was on account of receipt of injuries on vital organs leading to hemorrhage and shock. He further stated that the possibility of the injuries having been caused by scissors cannot be ruled out. During the course of cross-examination, PW-1 stated that injuries No.1 and 2 could not be caused with scissors. He also stated that 3 injuries mentioned at serial No.3 were round in nature. However, when PW-1 Dr. Umesh Mehta was recalled, he clarified that even injuries No.1 and 2 could be caused with scissors.
- 16. Learned counsel for the appellant(s) vehemently argued that although the specific case of the prosecution is that the injuries had been caused with scissors, but the description of the injuries does not reflect the injuries to have been caused with the recovered scissors inasmuch as apart from the small dimension of the injuries, which are smaller than the width of the scissors, the injuries had even been described to be round in shape by PW-1 Dr. Umesh Mehta, which would completely demolish the case of the prosecution.
- 17. A perusal of the sketch of the scissors (barber’s scissors) shows that it is a sleek type of scissors, which would normally be used by barbers. A perusal of the report (Ex.PU) of Forensic Science Laboratory (FSL) shows that the length of metallic scissors is stated to be 17 cms. approximately, which in other words would be slightly less than 7 inches. The blade of scissors is about 1.5 cms. in the middle and is pointed at the end as per the sketch. The



width of blade tapers down towards the pointed edge and is barely 2-3 mm. at pointed edge. Under these circumstance, an injury, if caused in a stab wise motion could even result in a small puncture, wherein it may even look like a round kind of puncture. Thus the fact that PW-1 Dr. Umesh Mehta described the 3 wounds on the chest as round would not demolish the case of the prosecution. Further, even though PW-11 Dr. Deepak Parkash, while describing the wounds, has described the width of the wounds to be less than 1 cm., but the same would not furnish any reason to doubt the allegations or the case of the prosecution inasmuch as the skin of a human being has some elasticity and in case of a stab wound, the injury at times would appear to be smaller than the width of blade of the weapon used for causing such injury. In this context, a reference may be made to Modi's Medical Jurisprudence and Toxicology, wherein in chapter No.2.5, while describing the characteristics of puncture or stab wound, it has been opined as under:

“A sharp, pointed and cylindrical or conical instrument produces a wound having a circular or slit-like opening. A blunt-pointed instrument requires considerable force to puncture the skin and penetrate the soft tissues. It causes a punctured wound with lacerated edges.

The aperture of a punctured wound in the skin is usually a little smaller in length than the breadth of the weapon used owing to the elasticity of the skin, although, it is sometimes large as the weapon enlarges the wound, if it is withdrawn by lateral movements.

The shape of a stab wound in the skin is determined not only by the shape of the blade, but by Langer's lines. Langer's lines are a pattern of elastic fibers in the dermis of the skin which is approximately the same from individual to individual.....”



18. While this Court does find that the description of the injuries as recorded by PW-1 Dr. Umesh Mehta and as recorded by PW-11 Dr. Deepak Parkash is not absolutely identical, but both of them have described the seat of injuries identically and the only difference is that while PW-11 has described all the 5 injuries to be punctured wounds PW-1 has described 3 injuries out the 5 injuries to be punctured wounds and 2 to be superficial lacerated wounds. Such like variation in the description of injuries is not sufficient enough to doubt the case of the prosecution in the given circumstances.
19. In view of the discussion made above particularly in light of the fact that the factum of existence of injuries on the body parts is identically described by both the doctors and 3 of them have been identically mentioned to be punctured wounds, the size of which would match with the size of the recovered scissors particularly in view of the characteristical observations expressed in *Modi's* jurisprudence as regards stab wounds, this Court does not find any ground to doubt the medical evidence led by the prosecution in this regard.
20. As far as the death of Sham Lal on account of the injuries sustained by him is concerned, PW-11 Dr. Deepak Parkash upon having been asked by the police to furnish opinion regarding the possibility of injuries having been caused with the scissors, he gave his specific opinion Ex.PD/1 to the effect that the possibility of the injuries having been caused with a scissors cannot be ruled out. Similar is the opinion of PW-1 Dr. Umesh Mehta. As per the prosecution even the complainant Amit Kumar (PW-5) and also Narinder Kumar (PW-7) had sustained injuries at the hands of the accused. PW-11 Dr. Deepak Parkash, who had medico-legally examined both of them, stepped into the



witness-box and stated that he had medically examined Amit Kumar on 27.8.2002 at about 09:20 P.M. While proving the MLR as Ex.PL he described the injuries found on the person of Amit Kumar as under:

- “1. A punctured wound of the size of .3 cms. X .1 cm. X muscle deep present on the left side of face situated 3 cms. above the angle of mandible.
2. A punctured wound on the left side of chest situated 8 cms. below the left nipple measuring .3 cms. X .1 cm. depth could not be ascertained, X-ray was advised.
3. A punctured wound on the back of left shoulder measuring .2 X .1 X muscle deep. X-ray was advised.”

21. PW-11 further stated that on 27.8.2002 he had also medico-legally examined Narinder Kumar at about 09:40 P.M. and had found the following injuries on his person:

- “1. A punctured wound measuring .2 X .2 cms. X muscle deep on the left side of back just below the left renal angle with mark of fresh bleeding. The patient was kept under observation. The injury was caused by sharp pointed object within duration of six hours.”

22. PW-11 further stated that he had furnished opinion that the injuries found on the person of deceased Sham Lal as well of Amit Kumar and Narinder Kumar could have been caused with the scissors in question. Although the said witness was cross-examined at length, but nothing substantial could be elicited during the course of his cross-examination so as to doubt either his veracity or his opinion. Having referred to the evidence regarding the factum of existence of the injuries on the dead-body and also on the person of PW-5 Amit Kumar and PW-7 Narinder Kumar, the oral evidence led by the



- prosecution in this regard also needs to be examined. The prosecution had examined both the injured eye-witnesses i.e. the complainant PW-5 Amit Kumar and also the injured witness PW-7 Narinder Kumar.
23. PW-5 Amit Kumar, while in the witness box has described the occurrence as had been narrated by him to the police while getting his statement Ex.PF recorded on 28.8.2002. He specifically stated that on the day of occurrence when he was returning home from the market, then he met Sham Lal on the way at about 08:30 P.M. near Dhawan Hospital and that soon thereafter all the 3 accused came there and that while Sonu caught hold of Sham Lal, Shippu @ Virender inflicted 3 injuries with a barber's scissors to Sham Lal on his chest and also on his forearm. He further stated that when he tried to rescue Sham Lal, then Satti @ Satish took scissors from Shippu @ Virender and inflicted a blow to him on his abdomen and shoulder. He further stated that he had raised alarm, which had attracted Narinder Kumar and who also tried to rescue them, but accused Shippu after taking scissors from Satti @ Satish inflicted an injury to Narinder Kumar on his back.
24. PW-7 Narinder Kumar has also stated identically to the effect that while Sonu had caught hold of Sham Lal, Shippu inflicted injuries to him with scissors and when Amit Kumar tried to rescue Sham Lal then accused Satti took scissors from Shippu and inflicted injury to Amit Kumar and when he (Narinder Kumar) tried to rescue them, then Shippu after taking scissors from Satish inflicted a blow to him on his back.
25. The aforesaid statements are fairly consistent as regards the description of the incident. Although the prosecution also examined one more PW i.e. PW-9 Sunil Pal, who had also stated to an identical effect, but since the name of the



said witness i.e. Sunil Pal does not find mention anywhere in the FIR, it would not be very safe to depend upon his statement. In any case, the consistent testimonies of PW-5 Amit Kumar and PW-7 Narinder Kumar coupled with the fact that there is ample corroboration from the medical evidence does not leave any room to doubt the case of the prosecution as set forth in the FIR. Although some minor inconsistencies have been pointed out by learned counsel representing the appellants, but the larger picture as emerges from the evidence on record clearly shows that the occurrence had taken place in the manner stated by complainant.

26. It goes without saying that even in the case of most truthful witnesses, some inconsistencies/discrepancies are bound to be there and witnesses are not expected to come out with parrot like version. In any case, since none of the inconsistency is on any material point and is not of such a nature to cast any doubt as regards credibility of the witnesses, the same are rather rendered inconsequential.
27. Learned counsel for the appellants also raised a submission as regards the report of FSL to the effect that the scissors are not found to be blood stained, but it is well settled that the factum of recovery of a weapon of offence or existence of any blood stains from the same would be in the nature of a corroborative piece of evidence so as to lend support to the case of the prosecution. However, in a case where despite in the absence of such corroborative evidence, the evidence collected by the prosecution in case is found to be sufficient and trustworthy, the factum of there being no blood stains on the weapon of offence or the factum of non-recovery of weapon of offence would not be of much significance. As already discussed above, the



*CRA-D-673-DB-2004 (O&M) &
CRA-D-176-DB-2005 (O&M)*

(18)

present case is a case of eye-witness account, wherein the witnesses are stamped witnesses having sustained injuries in the occurrence itself. It is well settled that testimony of a stamped witness rests on a much higher pedestal and cannot be discredited easily. In the present case, the oral testimonies of the witnesses i.e. PW-5 & PW-7 find ample corroboration from the medical evidence as well which fully establishes the role of all the three appellants in murdering the deceased and inflicting injuries to PW-5 and PW-7.

28. As a sequel to the discussion made above, we do not find any infirmity in the findings of guilt as recorded in the impugned judgment and the same are hereby affirmed. Finding no merit in the either of two appeals, the same are hereby dismissed.
29. Intimation be sent to quarters concerned for effecting arrest of the appellants – Manoj Kumar, Virender and Satish Kumar @ Satti so as to undergo remaining part of their sentence. Case property be dealt with under rules upon expiry of limitation for filing appeal or revision petition.

**(GURVINDER SINGH GILL)
JUDGE**

13.5.2025

Pankaj

**(JASJIT SINGH BEDI)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No