



2026:AHC:138563

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 452 of 1984

Final AFR

Reserved On 17.04.2026

Delivered On 10.07.2026

Smt. Ambika

.....Appellant

Versus

State of U.P.

.....Respondent

Counsel for Appellant : Anil Kumar, Damodar Singh,
Devendra Vikram Singh, Gajendra
Pratap

Counsel for Respondent(s) : A.G.A.

Court No. - 88

HON'BLE SANJIV KUMAR, J.

1. This criminal appeal has been filed, under Section 374 (2) Code of Criminal Procedure, 1973, (in short Cr.P.C.), by appellant Smt. Ambika, against the impugned judgment and order dated 09.02.1984 passed by Shri R.B.L Dohare IVth, Additional Sessions Judge, Ghazipur, in Sessions Trial No.106 of 1983 (State Vs. Ambika and Another), arising out of Case Crime No. 61 of 1981 under Section 304 (1) IPC Police

and sentenced her to undergo rigorous imprisonment for a period of 5 years.

3. Brief facts of the prosecution case are that Sabas, brother of deceased Rajjan, resident of Madhuban, Police Station- Birno, District- Ghazipur, submitted a written application, dated 12.05.1981, before Incharge Police Station- Birno, at 14:45, stating therein that today at about 01:00 p.m. a quarrel occurred between Baza's daughters and women of Rajjan's house. Thereupon, Rajjan reached there to intervene, then either of Baza's daughters and son, namely, Ambika, Dullu, Jamua and Munna, who was involved in the quarrel, assaulted a *moosal* (a long wooden pestle used for grinding grains) upon Rajjan which incidentally struck over his head. He was given first-aid treatment, but after a while he died, after spitting blood from his nose and mouth. The above incident was witnessed by Rambriksh, Gainda and other persons. Upon this application, FIR under Case Crime No. 61 of 1981, Section 304 I.P.C was lodged at Police Station- Birno, on 12.05.1985, at 14:45, and the investigation was entrusted to SHO G.R. Sharma.

4. The investigation officer conducted investigation. He recorded statements of the first informant and other witnesses, inspected the place of occurrence and prepared its site-plan. The inquest of the deceased was prepared and the post-mortem was carried out. After investigation charge-sheet has been filed against the appellant Smt. Ambika and other co-accused Smt. Dullu @ Shyam Dulari, Smt. Jamua @ Ram Pyari and Munna under Section 304 I.P.C. before the concerned Magistrate court.

5. The court concerned took cognizance of the offence and summoned the accused. They appeared before the court and copies of

charge under Section 304 read with 34 IPC was framed against all other co-accused, Dullu @ Shyam Dulari, Jamua @ Ram Pyari and Munna. The accused pleaded not guilty and claimed to be tried.

7. The prosecution has examined five witnesses, to wit, P.W.1 Dr. A.K. Goswami; P.W. 2 Sabas; P.W.3 Rambriksh; P.W.4 Smt. Sudeshwari and P.W. 5 S.I. Ganesh Ram Sharma, to prove its case.

8. P.W. 1 Dr. A.K. Goswami, is the formal witness, who has conducted post-mortem of deceased Rajjan on 13.05.1981 at District Hospital- Ghazipur. His cadavre was brought by Constable Ram Chandra and Constable Mangala Pandey. P.W.1 has stated that *rigor mortis* was present on lower limb and had passed through upper limb. The eyes were out and blood was oozing out from both nostrils, ear and mouth. He found following ante-mortem injuries over body:-

(i) Contusion with swelling 10 cm x 5 cm to the right side of head, 6 cm above right ear.

(ii) An abrasion 6 cm x 3 cm at the middle of head, 8 cm above the root of nose.

9. In internal examination, the skull bones were fractured. The front part of skull and parietal bones were fractured. Both the chambers of heart were empty. Small intestine contained semi-digested food and fecal matter was present in large intestine. The bladder was empty. The death of deceased had occurred due to above injuries as a result of shock. The death could have been occurred on 12.05.1981 at 01:00 p.m. and the above injury could have been caused by *moosal*. P.W. 1 has proved post mortem as Ext.Ka.1.

11. P.W.2 Sabas, is the real brother of the deceased and is also the first informant of the case. He has stated that Rajjan was his real brother and he was living separately from him. Accused Smt. Ambika, Dullu and Smt. Jumua are real sisters. Co-accused Munna is their real brother. All of them are Baza's children. Baza's daughters have bad character. On the date of incident at about 01:00 p.m. Smt. Ambika had struck a *moosal* upon Rajjan at the door, in his courtyard. Baza's son-in-law, who is Smt. Ambika's *bahnoi* (brother-in-law), came at Rajjan's door and was talking to Rajjan's wife then all the four accused reached there stating that she is backbiting against us and started having quarrel with Rajjan's wife. When Rajjan reached there to intervene, Dullu, Jamua and Munna caught hold of him and Smt. Ambika struck *moosal* upon him, as a result he died. P.W. 2 has stated that he was not witness of the alleged incident and he came to know of the incident through witness Gaina and Ram Briksh. He has also said that he got the application written through Raghunath Tiwari and after putting his thumb impression lodged the FIR, which the witness has proved as Ext. Ka.2.

12. In cross-examination, P.W.2 has said that before lodging the report it had came to his knowledge that Ambika had struck *moosal* at the deceased, and he can not explain the reason if it is not written in the FIR. He has said that the accused were not beaten and they may have sustained injuries due to scuffle. The blood was splattered on the ground, but the Investigating Officer had not collected it. He has denied the suggestion that Rajjan and others came to Ambika's house and had beaten them and Rajjan sustained injuries when they exercised their right of private defence.

13. P.W. 3 Ram Briksh, is the eye-witness of the alleged incident. He

Rajjan came and tried to separate them, then Ambika who was carrying *moosal* in her hand struck it over Rajjan's head and the other three accused caught hold of him, Rajjan fell on the ground and died after a while.

14. In cross-examination P.W.3 has said that Rajjan came at the place when the quarrel has started. Nobody has beaten the accused before him. They were not beaten and they could have sustained injuries due to scuffle. Rajjan and others were not having any *lathi* and *danda* in their hands. He did not see any injury over the accused. Smt. Ambika was having *moosal* in her hand and rest of the accused were empty handed. After hitting *moosal* the blood had splattered on the ground. He did not see whether Rajjan's wife sustained injuries or not. He did not beat the accused after taking them to his house. He has denied the suggestion that the accused have sustained injuries due to his beating.

15. P.W. 4 Smt. Sudeshwari, is the wife of deceased Rajjan. She has stated that Baza's son-in-law had came at her door. Ram Briksh, Gaina and some women was also present there. He was taking her well being, then Smt. Ambika, Dullu, Jamua and Munna started altercation/ quarrell. Munna, Dullu and Jamua caught hold of Rajjan and Smt. Ambika struck a *moosal* upon Rajjan's head, due to which her husband died.

16. In cross-examination P.W.4 has said that no *maarpeet* happened between her and the accused. She did not beat any of them. The accused had abused and beaten her due to her having talk with their relative. Smt. Ambika's door is visible from her door, which is about three *lattha* away. The accused had abused at her house. Her husband objected to it, then the accused also abused her husband for about 10-5 minutes. When she

Smt. Ambika brought *moosal* from her house and struck her husband. Ram Briksh was smoking *hookah*. The *maarpeet* took place in open ground which is adjacent to her door. None of the accused sustained any injury and she did not beat them.

17. P.W. 5 S.I. Ganesh Ram Sharma, is the Investigating Officer of the case. He has stated about the investigation conducted by him and as a secondary witness to Constable Moharrir Beer Bhadra Singh, he has proved FIR as Ext.Ka.2 and copy of G.D. as Ext.Ka.3. He has stated that he reached at the place of occurrence and took into possession the dead body of the deceased. The *Panchas* were appointed and then inquest was prepared, which the witness has proved as Ext.Ka.5 alongwith connecting papers as Ext.Ka.6 to Ext.Ka.9. He has said that at the time of preparation of inquest he collected blood stained clothes from the spot and also *moosal* and prepared its (recovery memo) *fard baramadagi*, which he has proved as Ext.Ka.10. He proved the site-plan as Ext.Ka.11. After collecting the post-mortem report and other evidence he submitted charge-sheet under Section 304 IPC, which he has proved as Ext.Ka.12.

18. In cross-examination P.W.5 has said that the accused were arrested the same day and there were some injuries over their bodies which they may have been sustained in this quarrel. He found that Rajjan had beaten Ambika and Ambika and others had beaten Rajjan. He came to the conclusion that deceased Rajjan had beaten Ambika and in self-defense they had beaten him. He has further said that due to some confusion he has written that “ **ghar par chad kar likhne ki baat**” . He has denied the suggestion that the accused had gone to the police station to lodge the FIR the same day, but they were arrested and to conceal this fact their medical examination was conducted the next day. Witness Sabas has not

him with *moosal*. Ram Briksh has not stated that Munna, Dullu and Jamua had caught hold of Rajjan. Ram Briksh has also not stated that the women were having quarrel with each other.

19. After closure of prosecution evidence, the statements of accused were recorded under Section 313 Cr.P.C., in which they have denied the prosecution case. It is admitted that deceased Rajjan was first informant's real brother. It is also admitted that accused Ambika, Dully and Jamua are real sisters and Munna is their real brother and they are Baza's children. It is also admitted that Dharmdeo is their *bahnoi* (brother-in-law). It is submitted by accused that witnesses are deposing against them due to enmity, as one of the witness is the wife of the deceased and the other is his brother. Appellant Ambika has further said that Rajjan and Sudeshwari came at their door and started hurling abusive language and also had beaten them, in defence Rajjan sustained injuries. The defence has filed the copy of statement of Sudeshwari which was recorded under Section 161 Cr.P.C. by the I.O. as Ext.Kha.1 and Ext.Kha.2.

20. The accused have examined two witnesses, to wit, D.W.1 Dr. O.D. Singh and D.W.2 Constable Prem Shankar Pathak in their defence.

21. D.W.1 Dr. O.D. Singh has said that on 13.05.1981 he was posted as medical officer at Police Station- Birno, District- Ghazipur. On that day Constable Dayaram Yadav and Pratap Yadav brought Ambika Devi, Dullu @ Shyam Dulari and Jamua for medical examination. He conducted their medical examination between 10:30 a.m. to 11:40 a.m. and prepared their injury reports, the copy of which has been proved by the witness as Ext.Kha 3 to 6.

23. D.W.2, Constable Prem Shankar Pathak, is a formal witness, who has stated that on 13.05.1981, Ambika Devi was already in custody and upon her report, Constable Beer Bhadra had scribed NCR No. 107 at 06:50 a.m. As secondary witness he has proved the handwriting and signature of Constable Beer Bhadra Singh and accordingly, proved NCR as Ext.Kha.7 and its G.D. as Ext.Kha-8.

24. In cross-examination D.W.2, he has said that Beer Bhadra Singh, is currently posted in Phoolpur, District- Varanasi.

25. Learned trial court after perusing the evidence on record and hearing the arguments of learned Counsel for both the parties, came to the conclusion that the prosecution has been able to prove its case beyond reasonable doubt against the appellant Ambika Devi. So far as the rest of the accused are concerned, the prosecution has not been able to prove their case, therefore, co-accused Dullu @ Shyam Dulari, Jamua @ Ram Pyari and Munna were acquitted and Smt. Ambika Devi was convicted for offence punishable under Section 304(1) IPC and was sentenced to the term as indicated above.

26. Heard Shri Devendra Vikram Singh, learned Counsel for the appellant and Shri Akhilesh Kumar Mishra, learned A.G.A on behalf of the State and perused the material on record.

27. It is submitted by learned Counsel for the appellant that there are material contradictions in the statement of public witnesses, which raises serious doubt over the prosecution case. It is further submitted that there is no explanation of the injuries sustained by all the four accused and thus, the genesis and origin of the incident has been suppressed by the prosecution, which raises serious doubt over the prosecution case. It is

appellant and abused and committed *maarpeet* with them and the deceased sustained injuries when the accused exercised their right of private defence. Therefore, the learned trial court failed to appreciate the evidence on record, correctly and reach at the wrong conclusion of the guilt of the appellant.

28. Per contra, learned A.G.A. has submitted that the testimony of public witnesses is consistent, reliable and trustworthy. The oral testimony is supported with medical evidence. The minor contradictions have no bearing over the prosecution case and thus, the learned trial court has correctly reached at the guilt of the appellant and has rightly convicted and sentenced the appellant. Therefore, this appeal has no force and is liable to be dismissed.

29. In a criminal case, the burden of proof lies upon the prosecution to prove its case beyond reasonable doubt. In the present case, the allegation against the appellant is that she along with other co-accused, in furtherance of their common intention, committed culpable homicide not amounting to murder, of deceased Rajjan. The alleged incident has occurred on 12.05.1981 by 01:00 p.m. in village Madhaban, Police Station- Birno, District- Ghazipur. The FIR was lodged the same day at about 14:45. The distance of the place of occurrence from the police station is one kilometer, therefore, within an hour and forty-five minutes the FIR was lodged. Thus the FIR was lodged promptly.

30. It is not in dispute that the FIR was lodge against appellant Smt. Ambika, Smt. Dullu @ Shyam Dulari, Smt. Jamua @ Ram Pyari and Munna, all the four accused are brother and sisters. The prosecution case is that there occurred a quarrel between Baza's daughter and women of

examined P.W.3 Ram Briksh, the eye-witness and P.W.4 Smt. Sudeshwari, the wife of the deceased- Rajjan, as witnesses of fact.

31. So far as P.W.2 Sabas is concerned, he is not an eye-witness. He has stated in examination-in-chief itself, that he has not seen the incident and the incident was told to him by the Ram Briksh and Gaina. Therefore, P.W.2 is simply the first informant, therefore, his testimony is relevant to the extent that he lodged the FIR of the incident.

32. P.W.3 Ram Briksh is said to be eye-witness of the alleged incident and as per prosecution he was sitting at the door of Rajjan's house smoking *Hookah* when Baza's son-in-law, Brahmdeo, came and started having conversation with Rajjan's wife, then all the four accused reached there and started having quarrel with Rajjan's wife that she is backbiting about them. When Rajjan tried to pacify then Ambika who was carrying a *moosa* hit it over his head and the other accused caught hold of Rajjan. Rajjan fell on the ground and died after a while.

33. In cross-examination he has said that nobody assaulted the accused and he did not see any injury to any of the accused from his eyes and none had beaten the accused with *lathi* or *danda*. P.W.3's statement is not reliable due to the reason that all the four accused sustained injuries and their injury reports has been proved by D.W.1 Dr. O.D. Singh. A perusal of these injury reports Ext. Ka.3 to 6 shows that accused Munna sustained four injuries of the nature of lacerated wound over the right side of back of head and two contusions over left scapula region and abrasion over right side of wrist joint. Accused Smt. Ambika Devi sustained four injuries of the nature of contusion and abraded contusion over left side of back of scapula region, middle of left finger

who as P.W.5 has stated that he had seen some injuries over the accused persons which they sustained in this quarrel/ incident. The I.O. has also said that during investigation he found that deceased Rajjan had beaten Ambika and Ambika and others have beaten Rajjan. He also came to the conclusion that deceased Rajjan reached at Ambika's house "**ghar par chadkar aaye**" and committed *maarpeet* and the accused exercised their right of private defence causing injuries to him. The above statement of I.O. shows that the accused sustained injuries in the same incident.

34. The defence has examined D.W.2 Constable, Prem Shankar Pathak, who has proved NCR which was lodged by the appellant Ambika Devi. It shows that the appellant had also lodged an FIR against the first informant's party, so in view of the statement of the Investigating Officer and D.W.1 as well as the copy of NCR, G.D. and injury reports of the accused, it is clear that it is a matter of cross-case.

35. As the accused have also sustained injuries in this incident and P.W.3 Ram Briksh has suppressed this by stating that the accused were neither beaten nor sustained any injuries, so this witness has concealed material facts before the court and he has suppressed the genesis and origin of the incident raising serious doubt over his testimony.

36. P.W.4 Smt. Sudeshwari is the wife of the deceased Rajjan. She has said that when the accused started beating her then her husband Rajjan came for her rescue and when he tried to separate them, the other co-accused caught hold of him and appellant Ambika brought *moosal* from her house and hit it over his husband's head. She has also said that none of the four accused sustained any injuries because they were not beaten, thus, P.W.4 Sudeshwari has also suppressed the material fact before the

P.W.4 has also suppressed the genesis and origin of the incident and has concealed material facts before the court.

37. In **Lakshmi Singh Vs. State of Bihar AIR 1976 SC 2263**, the Hon'ble Supreme Court has held that if the prosecution fails to explain injuries on the person of the accused the following inference may be drawn:-

(a) That the prosecution has suppressed the genesis and origin of the case and has not presented the true facts.

(b) That the witness who has denied the presence of injuries is lying on material point and his version is not reliable.

(c) That in case, there is a defence version which explains the injuries on the person of the accused it is rendered probable so as to cast a cloud on the prosecution case.

It is further held that it is only when the injuries sustained are minor and superficial and the evidence is so clear and cogent, so independent and disinterested, and that it far outweighs the effect and omission on the part of the prosecution, non-explanation of injury does not effect the prosecution case.

38. In view of the above decision of the Hon'ble Supreme Court, the failure of explanation of injuries on the person of the accused persons, by the prosecution, raises adverse inference upon the prosecution that it has suppressed the genesis and origin of the incident and has not presented the true version. It further shows that P.W. 3 Ram Briksh and P.W. 4 Sudeshwari are not reliable witness as they have denied the presence of injuries on the person of the accused and thus they have

incident the deceased sustained injuries when the accused exercised their right of private defence. Therefore, the defence case is that they exercised their right of private defence when the deceased and his wife came to her house and started committing *maarpeet* with them, causing injuries to all the four accused.

40. In view of the above, now it is to be examined whether the appellant inflicted injuries to the deceased in her right of private defence. Section 96, 97 and 100 in Chapter IV of IPC are relevant provisions dealing with the right of private offence under the category of General Exceptions. These provisions are reproduced here below:

"96. Things done in private defence. - Nothing is an offence which is done in the exercise of the right of private defence.

97. Right of private defence of the body and of property. - Every person has a right subject to the restrictions contained in Section 99, to defend--

First.- His own body, and the body of any other person, against any offence affecting the human body;

Secondly.- The property, whether moveable or immoveable, of himself or of any other person, against any act which is an offence falling under the definition of theft, robbery, mischief or criminal trespass, or which is an attempt to commit theft, robbery, mischief or criminal trespass."

Section 100 deals with the extent upto which the right of private defence can be exercised to cause death of the assailant.

Section 100 of the Indian Penal Code is extracted as under:

"100. When the right of private defence of the body extends to causing death. -- The right of private defence of the body extends, under the restrictions mentioned in the last

Secondly. -- Such an assault as may reasonably cause the apprehension that grievous hurt will otherwise be the consequence of such assault;

Thirdly. -- An assault with the intention of committing rape;

Fourthly. -- An assault with the intention of gratifying unnatural lust;

Fifthly. -- An assault with the intention of kidnapping or abducting;

Sixthly. -- An assault with the intention of wrongfully confining a person, under circumstances which may reasonably cause him to apprehend that he will be unable to have recourse to the public authorities for his release."

41. Considering the principle governing the right of private defence, the Hon'ble Supreme Court in **Darshan Singh vs State of Punjab & Anr 2010 (2) SCC 333**, was pleased to hold as under:

"54. In Vidhya Singh v. State of Madhya Pradesh, (1971)3 SCC 244, the court observed that:

"18. The right of self-defence is a very valuable right, serving a social purpose and should not be construed narrowly. Situations have to be judged from the subjective point of view of the accused concerned in the surrounding excitement and confusion of the moment, confronted with a situation of peril and not by any microscopic and pedantic scrutiny. In adjudging the question as to whether more force than was necessary was used in the prevailing circumstances on the spot it would be inappropriate, as held by this court, to adopt tests by detached objectivity which would be so natural in a court room, or that which would seem absolutely necessary to a perfectly cool bystander. The person facing a reasonable apprehension of threat to himself cannot be expected to modulate his defence step by step with any arithmetical exactitude of only that much which is required in the thinking of a man in ordinary times or under normal circumstances."

55. In Jai Dev v. State of Punjab, AIR 1963 Supreme Court 612 the court held as under:

"13. as soon as the cause for the reasonable apprehension

have recourse to public authorities are all relevant factors to be considered.

57. In Buta Singh v. The State of Punjab, (1991)2 SCC 612, the court noted that:

“10.....a person who is apprehending death or bodily injury cannot weigh in golden scales in the spur of moment and in the heat of circumstances, the number of injuries required to disarm the assailants who were armed with weapons.

In moments of excitement and disturbed mental equilibrium it is often difficult to expect the parties to preserve composure and use exactly only so much force in retaliation commensurate with the danger apprehended to him where assault is imminent by use of force, it would be lawful to repel the force in self-defence and the right of private-defence commences, as soon as the threat becomes so imminent. Such situations have to be pragmatically viewed and not with high-powered spectacles or microscopes to detect slight or even marginal overstepping.

Due weightage has to be given to, and hyper technical approach has to be avoided in considering what happens on the spur of the moment on the spot and keeping in view normal human reaction and conduct, where self-preservation is the paramount consideration.

But, if the fact situation shows that in the guise of self-preservation, what really has been done is to assault the original aggressor, even after the cause of reasonable apprehension has disappeared, the plea of right of private defence can legitimately be negatived. The court dealing with the plea has to weigh the material to conclude whether the plea is acceptable. It is essentially, as noted above, a finding of fact."

“ 58. The following principles emerge on scrutiny of the following judgments:

(i) Self-preservation is the basic human instinct and is duly recognized by the criminal jurisprudence of all civilized countries. All free, democratic and civilized countries recognize the right of private defence within certain reasonable limits.

(ii) The right of private defence is available only to one who is suddenly confronted with the necessity of averting an impending danger and not of self-creation.

(iv) The right of private defence commences as soon as a reasonable apprehension arises and it is co-terminus with the duration of such apprehension.

(v) It is unrealistic to expect a person under assault to modulate his defence step by step with any arithmetical exactitude.

(vi) In private defence the force used by the accused ought not to be wholly disproportionate or much greater than necessary for protection of the person or property.

(vii) It is well settled that even if the accused does not plead self-defence, it is open to consider such a plea if the same arises from the material on record.

(viii) The accused need not prove the existence of the right of private defence beyond reasonable doubt.

(ix) The Indian Penal Code confers the right of private defence only when that unlawful or wrongful act is an offence.

(x) A person who is in imminent and reasonable danger of losing his life or limb may in exercise of self defence inflict any harm even extending to death on his assailant either when the assault is attempted or directly threatened.”

42. In view of the above legal position with regard to the exercise of right of private defence and non explanation of injuries on the person of the accused and lying of prosecution witnesses on material point, renders the prosecution version unreliable and it shows that the prosecution has suppressed the genesis and origin of the incident which probabalises the defense case, that the injuries sustained by the deceased were caused while the accused exercised her right of private defense.

43. It is submitted by learned A.G.A. that even if it is assumed that the appellant exercised her right of private defense then, she has exceeded it as she has hit a *moosal* over the head of the deceased which caused fracture of bones over his head resulting in his death and as the injuries suffered by the accused persons were simple in nature, therefore, the

other hand, a perusal of the post-mortem report of the deceased shows that he sustained one abrasion on the root of nose and a contusion with swelling over right side of head. In the internal examination, the bones of scalp were fractured. So effectively only one blow was given at the head of the deceased which proved fatal. It has come in evidence that the quarrel started all of a sudden, there was no previous enmity nor it was pre-mediated, so the appellant was well within her right to exercise the right of private defence and she has not exceeded it in view of the number of blows caused to the deceased vis-a-vis the injuries sustained by all four accused persons.

44. In view of the above discussion, it comes to the conclusion that the prosecution has failed to prove its case beyond reasonable doubt. The prosecution has suppressed the genesis and origin of the incident and the prosecution witnesses are lying on material point by suppressing the injuries of the accused. Therefore, the prosecution has not proved its case beyond reasonable doubt, whereas it probablises the defence case that, it is the deceased and his wife, who raided the house of the accused and abused and assaulted them causing number of injuries to them. The appellant exercised her right of private defence, therefore, the act of appellant is protected under the right of private defence and thus, the charge against the appellant for causing culpable homicide not amounting to murder is not proved. In view of the above, I come to the conclusion that the learned trial court has failed to appreciate the evidence on record correctly and has reached at the wrong conclusion of the guilt of the appellant and as such the impugned judgment and order is liable to be quashed and this appeal deserves to be allowed.

45. In view of the above, the instant criminal appeal is, accordingly,

46. The appellant **Ambika** is on bail. She need not surrender. Her personal bonds and surety bonds are cancelled and sureties are discharged of their liabilities.

47. The appellant shall execute a personal bond in the sum of Rs.25,000/- under Section 481 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 437-A of the Code of Criminal Procedure, 1973) for his appearance, in the event of an appeal being preferred against her acquittal.

48. Let a copy of this judgment alongwith record of the trial court be returned to court concerned for information and necessary compliance.

(Sanjiv Kumar,J.)

July 10, 2026

AdityaG