

Paras Ram and others

Vs

State of Punjab

Special Leave Petitions (Criminal) Nos. Nos. 698 and 678 of 1973

(V.R.Krishna Iyer, R.S.Sarkaria JJ.)

09.10.1973

ORDER

1. While refusing special leave we wish emphatically to repudiate the contention persuasively presented by Shri Rana, learned counsel helping the court as *amicus curiae* that the very monstrosity of the crime - the ceremonial beheading by the father and his relatives of a four-year old boy at the crescendo of morning bhajan-provided the proof of insanity sufficient to exculpate the offender under Section 84, IPC.
2. Just one more observation relevant to the punishment. The poignantly pathological grip of macabre superstitions on some crude Indian minds in the shape of desire to do human and animal sacrifice, in defiance of the scientific ethos of our cultural heritage and the scientific impact of our technological century, shows up in crimes of primitive horror such as the one we are dealing with now, where a blood-curdling butchery of one's own beloved son was perpetrated, aided by other 'pious' criminals, to propitiate some bloodthirsty deity. Secular India, speaking through the court, must administer shock therapy to such antisocial 'piety', when the manifestation is in terms of inhuman and criminal violence. When the disease is social, deterrence through court sentence must, perforce, operate through the individual culprit coming up before court. Social Justice has many facets and judges have a sensitive, secular and civilising role in suppressing grievous injustice to humanist values by inflicting condign punishment on dangerous deviants. In discharged of this high duty, we refuse special leave in these applications against the correct convictions and sentences of the courts below.
3. Both the special leave petitions are rejected.

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