

SUPREME COURT OF INDIA

Mohan Singh

Vs.

State of Punjab

Crl.A.No.21 of 1972

(Y. V. Chandrachud, P. K. Goswami and P. N. Shinghal, JJ.)

31.03.1977

JUDGEMENT

CHANDRACHUD, J.:-

1. The evidence of Rakhpal Singh (P. W. 2) is by itself sufficient to prove the charge under S. 302 read with S. 34 of the Penal Code for which the appellants have been convicted. We are unable to accept Mr. Mookherjee's submission that the appellants can, at the highest, be held guilty under S. 304 Part II of the Penal Code. In view of the evidence of Dr. Beant Kaur (P. W. 1) that the injuries found on the person of the deceased were sufficient in the ordinary course of nature to cause death, we have no doubt that the appellants have been rightly convicted under S. 302 read with S.34 Penal Code. The appeal is accordingly dismissed and the judgment of the High Court is confirmed.

Appeal dismissed.