

State of Punjab

Vs

Gurnam Singh

Criminal Appeal No. 470 of 1976

(V. D. Tulzapurkar, M. P. Thakkar, V. Khalid JJ)

10.09.1984

JUDGMENT

THAKKAR, J. –

1. The respondent was prosecuted for an offence under Section 25 of the Arms Act. The trial court convicted him for the said offence and sentenced him to a term of imprisonment for six months. The High Court has reversed the order of conviction and set aside the sentence. The State has approached this Court by special leave and has called into question the order of acquittal.

2. The High Court has taken the view that it is unsafe to convict the appellant merely on the basis of the uncorroborated evidence pertaining to the alleged recovery of the weapon at the instance of the respondent. And that the respondent is therefore entitled to benefit of reasonable doubt. The view taken by the High Court is a plausible one. The appeal must accordingly fail and be dismissed.

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