

SUPREME COURT OF INDIA

Arjun Prajapati

Vs.

State of Bihar

Crl.A.No.27 of 1994

(M.M.Punchhi, C.J., K.T.Thomas and S.Rajendra Babu JJ.)

26.03.1998

ORDER

The Text below is only a summarized version of the order pronounced

Dying declaration made by deceased before Judicial Magistrate rejected by High Court. Dying declaration was written in Hindi and not in writing of Judicial Magistrate but bears his endorsement in English certifying that he had recorded it while deceased was in full senses. Signature of deceased was overwritten. Dying declaration and certification was in two different inks. Supreme Court held that it was not proper way by Magistrate to prepare dying declaration.