

State of Punjab

Vs

Rakesh Kumar @ Painta

(G. T. Nanavati, V. N. Khare JJ)

02.04.1998

JUDGMENT

NANAVATI J

1. The State has filed this appeal against acquittal of the respondent by the High Court. He was convicted by the trial court under Section 302 IPC for causing death of Chand Ram.
 2. We have gone through the judgments of both the courts below. We find that the High Court has rightly appreciated the evidence of eye-witness - Sneh Lata - PW 3 and for good reasons rejected it. The High Court has pointed out a number of infirmities appearing in her evidence. In view of the said infirmities, her evidence could not have been accepted and could not have formed the basis for the conviction of the respondents.
 3. As we find that the High Court has rightly acquitted the respondent.
- Appeal is dismissed.