

NON-REPORTABLE

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO(S). 1781 OF 2019

THE STATE OF PUNJAB

APPELLANT(S)

VERSUS

SARABJIT SINGH

RESPONDENT(S)

JUDGMENT

NAGARATHNA, J.

State of Punjab has filed this appeal assailing the judgment of acquittal passed by the High Court of Punjab and Haryana in CRA-D No.465-DB of 2003 (O&M) dated 14.01.2019. By the said judgment, the High Court has acquitted the respondent-accused and consequently, allowed the appeal.

2. The proceedings arise out of FIR No. 72/2001 dated 13.07.2001 registered at PS Sri Hargobindpur. Briefly stated, the case of the prosecution is that on 13.07.2001, the respondent was found hitting his wife with a *dattar*, and that the injuries caused led to her death. By judgment dated 08.05.2003 in Sessions Case No.

41 of 2001, the Sessions Judge, Gurdaspur convicted the respondent under Section 302 of the IPC and sentenced him to undergo imprisonment for life, along with a fine of Rs. 2000/-.

3. Aggrieved, the respondent preferred CRA-D No. 465-DB of 2003 (O&M) before the High Court of Punjab and Haryana at Chandigarh, assailing his conviction and sentence. By the impugned judgment dated 14.01.2019, the High Court allowed the appeal and set aside the judgment of conviction and sentence dated 08.05.2003. Hence, the present appeal has been preferred by the State of Punjab, challenging the acquittal of the respondent.

4. We have heard learned standing counsel appearing for the appellant-State and learned Amicus appearing for the respondent-accused. We have perused the material on record including the impugned judgment.

5. Learned standing counsel for the appellant-State made a two fold submission: firstly, she submitted that the High Court was not right in passing a judgment and order of acquittal to the respondent in the absence of there being any reason for doing so. It was submitted that the evidence on record would point to proof beyond

reasonable doubt of the prosecution case and hence, the Sessions Court had rightly convicted the accused for the offence committed under Section 302 of the Indian Penal Code, 1860 and sentenced him to undergo life imprisonment and to pay a fine of Rs.2,000/- and in default of payment of the fine to further undergo rigorous imprisonment for one year. However, the High Court in the absence of finding any fault with the Sessions Court's judgment as such, has reversed the same and granted an acquittal. She submitted that this Court may peruse the records and set aside the impugned judgment and thereby sustained the Sessions Court's judgment of conviction and sentence.

6. Alternatively and secondly, learned standing counsel submitted that in case this Court is not inclined to consider the case of the appellant on merits, the matter may be remanded to the High Court for a fresh consideration of the accused's appeal on merits having regard to the cryptic manner in which the impugned judgment has been rendered *de hors* any vital reasoning while setting aside the judgment of conviction and life sentence imposed by the Sessions Court. She pointed to various paragraphs of the impugned judgment

to contend that having noted the facts of the case as well as various depositions, the reasoning is hardly evident and further based on conjectures and assumptions and presumptions. In the circumstances, learned standing counsel for the appellant-State submitted that if this Court is not inclined to consider the appeal on merits, this Court may at least remand the matter to the High Court for a re-hearing of the appeal on merits.

7. *Per contra*, learned Amicus appointed by this Court contended that the High Court was perfectly justified in granting relief to the accused by acquitting him. He drew our notice certain paragraphs of the judgment which categorically lead to the inevitable conclusion of acquittal of the respondent herein. He therefore submitted that there is no merit in this appeal.

8. We have considered the arguments advanced at the bar in light of the impugned judgment and in juxtaposition with the judgment of conviction rendered by the Sessions Court and having regard to the material on record.

9. We are inclined to accept the second submission made by the appellant's counsel inasmuch as when we have

perused the impugned judgment rendered by the High Court, we find at the outset that the judgment is cryptic. Moreover, the reasons assigned for acquittal *prima facie* are not correct as they are based on assumptions and presumptions and conjectures. We also note that a mere discussion of the facts and the depositions of the various witnesses in the absence of any analysis and reasoning as such cannot render a judgment of conviction into one of acquittal.

10. On that short ground alone, we set aside the impugned judgment dated 14.01.2019.

11. We remand the matter to the High Court for a rehearing of the appeal. It is needless to observe that the High Court shall hear the appeal having regard to the evidence on record and in accordance with law. Since the respondent-accused has been acquitted by virtue of the impugned judgment which we have now set aside, we direct that he shall be produced before the concerned Sessions Court and he shall execute bail bonds subject to the terms and conditions to be imposed by the Sessions Court.

12. The appeal is allowed and disposed of in the aforesaid terms.

13. We clarify that we have not made any observation on the merits of the case.

14. We express our appreciation for the services rendered by Sri Meghan, the learned Amicus.

15. We direct the Registry of this Court to make a payment of Rs.25,000/- to Sri Meghan, learned Amicus.

....., J.
(B.V. NAGARATHNA)

....., J.
(MANMOHAN)

NEW DELHI;
JANUARY 28, 2026

ITEM NO.114

COURT NO.4

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(S).1781/2019

THE STATE OF PUNJAB

APPELLANT(S)

VERSUS

SARABJIT SINGH

RESPONDENT(S)

Date : 28-01-2026 This appeal was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE MANMOHAN

Sri Meghan, Amicus

For Appellant(s) : Ms. Nupur Kumar, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

Civil Appeal is allowed and disposed of in
terms of the signed non-reportable judgment, which
is placed on file.

Pending application(s), if any, shall stand
disposed of.

(B. LAKSHMI MANIKYA VALLI)
COURT MASTER (SH)

(DIVYA BABBAR)
COURT MASTER (NSH)