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*Assistant professor of Law*

*Mrs.S.Kalpana, presently Assistant professor of Law, VelTech Rangarajan Dr. Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr. Ambedkar Law College, Pudupakkam. Published one book. Published 8 Articles in various reputed Law Journals. Conducted 1 Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.*



## **Avinash Kumar**



*Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.*

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# **CASE ANALYSIS - RAM NIWAS V. STATE OF HARYANA**

AUTHORED BY - MARTIN JEYA PRAKASH V Y<sup>1</sup>

## **ABSTRACT:**

According to a theory put forward by William Blackstone in 1769, it is preferable for 10 criminal people to go free than for one innocent person to suffer. The preceding assertion should be true, as demonstrated by the **Ram Niwas v. State of Haryana** case. The Indian Supreme Court ruled that an accused person cannot be found guilty based solely on suspicion, regardless of the level of suspicion, in the homicide case where it cleared one accused person. The Sessions Court and the Punjab and Haryana High Court's earlier rulings were rightfully overturned by the Supreme Court. In ruling on the case, which was primarily based on an alleged extrajudicial confession and circumstantial evidence, a Divisional Bench of the Apex Court of India, made up of Justices **B. R. Gavai and P. S. Narasimha**, applied the presumption of innocence principle—which states that a person is presumed innocent unless and until he is proven guilty beyond a reasonable doubt—and freed the man from all charges.

**KEYWORDS:** Homicide, Extra Judicial Confession, Presumption of Innocent Principle, Supreme Court.

## **INTRODUCTION:**

The lawsuit dates back to 2003, the year of the occurrence. In summary, the appellant and the dead got into a fight, which upset the appellant. As a result, he claimed to have committed murder, which he subsequently admitted to the deceased's attorneys. In 2005, the Sessions Court found the appellant guilty based on his extrajudicial confession and further evidence, leading to his conviction. Through an appeal to the Punjab and Haryana High Court, he contested the Sessions Court's ruling; nevertheless, that too was denied in 2009, leading him to file an appeal with the nation's highest court. The Indian Supreme Court considered a number of factors and drew from

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<sup>1</sup> MARTIN JEYA PRAKASH V Y STUDENT OF TAMILNADU DR AMBEDKAR LAW UNIVERSITY (SOEL), CHENNAI, (EMAIL: [itsmartin2001@gmail.com](mailto:itsmartin2001@gmail.com) ; Mobile no: 8925166839)

a number of precedents when rendering its decision in this case. It concluded that there is insufficient evidence to prove the accused's guilt and that there is at least some room for an inference that the accused is innocent. The extrajudicial confession is purported, but it cannot serve as the only foundation for a conviction. The prosecution's case is riddled with gaps and weak evidence that does not support finding the accused guilty of the crime. In other words, it was held by the Supreme Court of India that, the accused 'must be' and not merely 'may be' guilty before a court can convict.

### **FACTS OF THE CASE:**

Pale was the son of Bhim Singh, the deceased brother of Ram Niwas, the appellant, and Sunita, his sister. After the death of his spouse Pale, Sunita moved in with her little boy to live at her parental home. Bhim Singh, Deep Chand Singh, and Dilip Singh, who passed away, were brothers who want Sunita to wed Rampal, the deceased's son. To continue their discussion regarding Sunita's proposed second marriage to Rampal, the three brothers went to her parents' home. After the deceased and appellant began drinking alcohol in the evening, there was talk about remarrying Sunita to Rampal. After hearing the proposition, the appellant became enraged, lost his composure, and began insulting the dead. But the deceased's brothers, Bhim Singh and Deep Chand Singh, stepped in and calmed the appellant. Following their meal together, Ram Niwas lingered in the drawing room and requested Dilip Singh to join him for a conversation, while Bhim Singh and Deep Chand Singh retired to bed on the first floor. When Bhim Singh and Deep Chand Singh returned to the drawing room the following morning, Dilip Singh was not present. When they inquired about the whereabouts of the deceased, the appellant said that he had left to respond to nature's call. They enquired again about the location of the dead after waiting for thirty more minutes, but they were not given a suitable response. Later, when Bhim Singh and Deep Chand Singh arrived in the house's courtyard, they both detected the stench of charred flesh—a human body. When they asked again about Dilip Singh, Ram Niwas tremblingly said that the dead had intended to remarry Sunita to Rampal. This infuriated Rampal, who then pushed Dilip Singh's throat and strangled him to death. The corpse was set on fire in an attempt to erase the evidence, but it was not entirely destroyed and was hidden in Paraal (paddy fodder). Afterwards, after removing the paddy straw, Deep Chand Singh and Bhim Singh discovered a partially burned body wrapped in a plastic palli. They conveyed their displeasure to the appellant, who, upon hearing it, left the site. The two brothers then returned, accompanied by others, to their village. That same day, in the evening, the complainant filed a

police report (FIR).<sup>2</sup>

## **THE PROSECUTION'S SIDE:**

Mr. Birendra Kumar Choudhary, Lt. Additional Advocate General, spoke on behalf of the State of Haryana.

- i. That the accused was concurrently found guilty of the charges charged by both lower courts, but only after a proper analysis of the available evidence.
- ii. That in front of complainant Deep Chand Singh and his brother Bhim Singh, the accused delivered an extrajudicial confession.
- iii. That, in accordance with section 27 of the Evidence Act of 1872, the discovery of "ash" hidden inside a plastic cover as the accused's memorandum supports the accused's extrajudicial confession.
- iv. That none of the lower courts will bring a lawsuit to overturn factual findings.

## **COMMENTS FROM APPELLANT'S SIDE:**

Ram Niwas, the accused/appellant, was represented by Ld. Advocate On Record, Adv. Mr. Rishi Malhotra. The submission was made:

- i. The postmortem report makes it abundantly evident that Dalip Singh's dead corpse, upon which the postmortem was performed, has not been shown to be his beyond a reasonable doubt. The assertion is bolstered by the findings of the medical examiner, Dr. Sanjeev Malhotra, who performed the post mortem on the deceased. The report notes that the physician acknowledged that the deceased's face was unrecognizably disfigured. The conviction was also unsupportable since there was no evidence presented by the prosecution that Dilip Singh was the deceased person.
- ii. That Bhim Singh and Deep Chand Singh's testimony was untrustworthy and that the two brothers' stated behaviours were incredibly abnormal.
- iii. Their evidence clearly shows that after seeing the deceased corpse, they both returned to their hamlet and returned in the evening.
- iv. That the police station is just 1.5 km from the scene of the event, and that their failure to notify the authorities of the occurrence right away casts substantial doubt on the prosecution's case.

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<sup>2</sup><https://indiankanoon.org/doc/17423528/#:~:text=This%20appeal%20challenges%20the%20judgment,by%20the%20learned%20Sessions%20Judge%2C>

- v. The right to an acquittal belongs to the accused/appellant.

## VERDICT OF THE BELOW LEVEL COURT:

On January 12, 2005, the Sessions Court in Sonapat found the appellant guilty of the offences covered by Sections 302 and 201 of the Indian Penal Code, 1860. The court also sentenced the appellant to life in prison with rigorous confinement and a fine of Rs. 5,000; if the fine is not paid, he will be subject to an additional two years of rigorous imprisonment under Section 302 of the Indian Penal Code. In contrast, the appellant was sentenced under section 201 to three years in jail, a fine of Rs. 2,000, and one year of hard imprisonment should the fine not be paid. The two phrases were meant to flow simultaneously. High Court of Punjab and Haryana, on 16th of March, 2009, dismissed the appeal of the Appellant and upheld the rulings of the Sessions Court.<sup>3</sup>

## VIEWS FROM THE APEX COURT:

The court noted that the accused is not sufficiently supported by evidence to be found guilty of the allegations. The court cited the **Sharad Birdhichand Sarda v. State of Maharashtra**<sup>4</sup> ruling, in which the law pertaining to conviction on the basis of circumstantial evidence has been crystallised and made very clear, in order to decide upon the strength and standing of circumstantial evidence. The most fundamental and basic decision in this case was **Hanumant v. State of Madhya Pradesh**<sup>5</sup>, which is still widely followed and applied by courts in many subsequent decisions. The court also considered other decisions regarding the nature, character, and essential proof required in a criminal case that relies solely on circumstantial evidence. Moreover, the court provided five golden guidelines to support a case based on circumstantial evidence, drawing on **Hanumant v. State of Madhya Pradesh**<sup>6</sup>. These guidelines are:

- i) It is important to thoroughly determine the circumstances before determining guilt. This time, the court outlines the conditions that include both "may be" and "must be or should be." As indicated in the Shivaji Sahabrao Bobade v. State of Maharashtra<sup>6</sup> case, there is a distinction between the two that goes beyond grammar. Specifically, the mental distance between "may be" and "must be" is great and separates speculative notions from

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<sup>3</sup><https://indiankanoon.org/doc/17423528/#:~:text=This%20appeal%20challenges%20the%20judgment,by%20the%20learned%20Sessions%20Judge%2C>

<sup>4</sup> (1984) 4 SCC 116

<sup>5</sup> AIR1952SC343, 1953CRILJ129, [1952]1SCR1091

<sup>6</sup> 1973 AIR 2622, 1974 SCR (1) 489, AIR 1973 SUPREME COURT 2622

conclusions that are necessarily drawn from them.

- ii) The facts that have been proven should only support the theory that the accused is guilty; in other words, they should not be consistent with any other theory than the accused's guilt.
- iii) There should be a decisive character and tendency to the circumstances.
- iv) They ought to rule out all other theories in favour of the one that has to be validated.
- v) The chain of evidence must be so comprehensive as to preclude any plausible inference that may support the accused's innocence and must demonstrate that the accused was, within the bounds of human possibility, the one who committed the offence.

In addition, the court took into consideration the **S. Arul Raja v. State of Tamil Nadu**<sup>7</sup> case while determining the admissibility of extrajudicial confessions. In that case, it was noted that the idea of extrajudicial confessions is essentially a judicial construct and should be utilised sparingly. A confession of this nature ought to be employed sparingly and supported by a great deal of prudence. The court ruling in **Ram Singh v Sonia**<sup>8</sup> established that an extrajudicial confession made while under police custody is not admissible. Furthermore, the court must proceed with extreme caution in cases involving extrajudicial confessions that are only supported by circumstantial evidence. This court has upheld this idea in the cases of **State of Maharashtra Konidiba Tukaram Shirke**<sup>9</sup> and **Ediga Anamma v. State of Andhra Pradesh**<sup>10</sup>. It is noteworthy to note that after arriving in Tamil Nadu, A-1 attempted to repudiate this assertion. The prosecution was simply depending on the "ash" that was found in the plastic bag on Ram Niwas's desk, which was seized in accordance with Section 27 of the Evidence Act.

The court ruled that before the accused may be found guilty, they "must be," not just "may be," guilty, and there must be a body of evidence that denies the accused's innocence. It is a well-established legal principle that suspicion, no matter how strong, cannot substitute for proof beyond a reasonable doubt, and that an accused person cannot be found guilty based solely on suspicion. The prosecution has failed to establish the sequence of events that leads to the sole conclusion that the accused is guilty. In addition to the circumstantial evidence, the court declared that relying just on an alleged extrajudicial confession as the foundation for the conviction would not be

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<sup>7</sup> (2010) 8 SCC 233

<sup>8</sup> AIR 2007 SUPREME COURT 1218

<sup>9</sup> AIR 1977 SC 278

<sup>10</sup> 1974 AIR 799, 1974 SCR (3) 329, AIR 1974 SUPREME COURT 799

optimal. In light of the aforementioned conclusions and findings, the Supreme Court of India granted the appellant's appeal and declared that the rulings and decrees of the Punjab and Haryana High Court and the Ld. Sessions Court could not stand. The conviction verdict, as well as the rulings rendered by the Punjab and Haryana Sessions Court and High Court, were overturned. The appellant/accused was released after being found not guilty of any charges.

## CONCLUSION:

Any court, regardless of level, that hears a matter should correctly analyse it. The case's facts and the offered evidence should be carefully examined and taken into account. Because the element of suspicion was present, the aforementioned instance was different from previous precedent. The nation's highest court issued a landmark decision that shed light on the reliability and validity of circumstantial evidence, convictions based only on suspicion, and the acceptance of extrajudicial confessions supported by circumstantial evidence. As a landmark decision, the ruling will undoubtedly be used as a precedent in other instances involving comparable facts and circumstances. In this instance, the five principles outlined in previous precedents were utilised to evaluate circumstantial evidence as proof in the matter and the sequence of events.

## REFERENCE:

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