



RAJENDRA SINGH AND ORS. VERSUS STATE OF UTTARANCHAL

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INTRODUCTION

The Supreme Court's decision in *Rajendra Singh & Ors. v. State of Uttarakhand* (Criminal Appeal Nos. 476-477 of 2013, delivered 7 October 2025) represents a focused application of criminal law principles, especially the presumption of innocence, evidentiary standards, and judicial restraint in appeals from acquittals. The judgment, authored by Justice Pankaj Mithal, foregrounds core procedural safeguards by setting aside the High Court's conviction of three men for murder under Section 302 of the Indian Penal Code (now Section 103(1) of Bharatiya Nyaya Sanhita),¹ restoring the acquittal entered by the trial court. The present comment methodically analyses the case under the sections: facts, issues, contentions, reasoning, defects in law, legal inferences, and conclusion, integrating cited case laws and statutory provisions where required.

FACTS OF THE CASE

On June 3, 2000, in District Udhampur, Jammu and Kashmir, an altercation erupted between Rajendra Singh and his son Bhupender Singh on one side, and Diler Singh, father of the deceased Pushpendra Singh, on the other. This dispute arose when Rajendra and Bhupender began digging Diler's field to lay a plinth, escalating tensions between the two families.

Later that day, at approximately 1:30 p.m., Pushpendra Singh was seated at Jogitha diversion (Tiraha). The appellants, Rajendra Singh (father), Bhupender Singh (son), and Ranjeet Singh (son-in-law), allegedly approached on a motorcycle, armed with swords and a kanta (sharp-edged weapon). Witnessing them, Pushpendra ran in alarm toward the northern fields, followed by the accused, all armed. Diler Singh (PW-1) and Jwala Singh (PW-2) gave chase in an attempt to save Pushpendra.

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¹ Indian Penal Code 1860, s 302; Bharatiya Nyaya Sanhita 2023, s 103(1).

Pushpendra entered the house of Mukhtyar Singh seeking safety. The accused followed, attacked him with their weapons, and caused his death, witnessed inside the house by Amarjeet Kaur (PW-7). Soon after, Diler Singh lodged an FIR under Section 302 IPC² at Police Station Nanak Matta at 2:50 p.m. The police investigation led to the arrest of the accused, Rajendra Singh and Ranjeet Singh on June 5, and Bhupender Singh on June 7. Disclosure statements appear to have led to the recovery of weapons.

The trial court, after listening to all sides and examining the evidence, found that the prosecution could not clearly prove that the accused were the actual people who committed the crime. Because of this lack of certainty, all of the accused were found not guilty and acquitted in 2007. However, when the case was taken up by the Uttarakhand High Court on appeal, the High Court looked at the matter again and reached a very different conclusion in 2013. The High Court declared all three men guilty, sentenced each to life in prison, and ordered them to pay a fine of ₹10,000. After this, the accused challenged this decision by taking their case to the Supreme Court, seeking justice and a final verdict on the matter.

ISSUES RAISED

The Supreme Court considered the following critical questions:

- Whether the identity of the accused as the perpetrators was proved beyond a reasonable doubt through credible evidence;
- Whether the High Court was justified in reversing the trial court's acquittal without showing its findings were perverse;
- Whether the recovery of weapons under Section 27 of the Evidence Act is validly connected to the offence.

CONTENTIONS OF PARTIES

Appellants

Senior Advocates contended:

- The appellants were falsely implicated due to long-standing enmity arising out of the morning land dispute.

² ibid

- There was no reliable eyewitness to the actual assault; the only independent witness inside the house, Amarjeet Kaur (PW-7), did not and could not identify the assailants.
- The prosecution's main witnesses, Diler Singh (PW-1) and Jwala Singh (PW-2), were 'chance witnesses'; their presence was questionable and unsupported.
- The recovery of weapons was fabricated: no forensic evidence linked blood stains on the weapons to the deceased; the prosecution failed to produce lab reports.
- The High Court erred in reversing a well-reasoned acquittal absent perversity or grave error in the trial court's findings.

Respondent

The State's counsel submitted:

- Multiple witnesses had observed the accused chasing the deceased, confirming their identity.
- PW-7 provided a consistent account of three men attacking the victim inside her house; her blood-stained clothes and the bedsheet, confirmed by FSL findings, established her presence and the incident's authenticity.
- Weapons were recovered following the disclosure statements of the accused, which further corroborated their involvement.
- The earlier quarrel provided adequate motive and context for the crime, justifying a conviction under Section 302 IPC.³

COURT'S REASONING

The Supreme Court meticulously scrutinised ocular testimony:

PW-7 Amarjeet Kaur: Amarjeet Kaur, a wholly independent witness, testified that three 'unknown' men, armed, entered her house and attacked Pushpendra as he sought refuge. She attempted to intervene; her clothes were stained with blood. Importantly, she stated she did not know the assailants and was never asked to identify them.

No test identification parade (TIP) was conducted. Thus, while her testimony confirmed the homicide, it failed to establish the identity of the perpetrators.

³ *ibid*

PW-1 Diler Singh and PW-2 Jwala Singh: PW-1, the deceased's father, claimed to see the appellants chase his son with swords and kanta, to have followed them for 10–15 minutes, witnessing the attack. Substantial inconsistencies appeared:

- The attack site (Jogither diversion) was 1.5 km from his home and not on his usual route from the flour mill, rendering him a 'chance witness.'
- He claimed immediate arrival, but PW-7 said the father came half an hour after the assault.
- He reported bloodstained clothes after hugging his son; however, police failed to seize this evidence.

PW-2 claimed to trail PW-1 by 60–70 steps, witnessing the chase. But as PW-1's presence was doubtful, so too was PW-2's. Neither satisfied the standard for direct and credible eyewitnesses. No shopkeeper or field labourer, allegedly present, was examined, and Kakka Singh (PW-4), owner of the flour mill, did not support the presence of Diler Singh at his shop. The Supreme Court concluded: no reliable ocular evidence established the accused's identity.

Evidentiary Value of Recovery under Section 27:⁴ The prosecution relied on the recovery of swords and a kanta based on the accused's disclosures. The Court made several crucial observations:

- The weapons were recovered from a garage and an open field, accessible to many.
- No forensic report established any link between the weapons and the victim's blood.
- An FSL report matching blood stains was never produced.

The Supreme Court clarified the scope of Section 25,⁵ 26,⁶ and 27⁷ of the Evidence Act, 1872:

- Sections 25 and 26 prohibit confessions made to police or in custody from being directly proven against the accused.
- Section 27 is a limited exception, allowing only the part of the information that 'distinctly leads to the discovery of a fact', not including broader confessions of guilt.

⁴ Indian Evidence Act 1872, s 27

⁵ Indian Evidence Act 1872, s 25

⁶ Indian Evidence Act 1872, s 26

⁷ Indian Evidence Act 1872, s 27

The Court invoked *Pulukuri Kottaya and Ors v. King Emperor*⁸ (1947 MWN Cr 45) “Only that portion of the accused’s statement which distinctly relates to the discovery of a fact is admissible; the rest, including any confession of guilt, must be excluded.” The accused’s alleged admission (“we hid the weapons used in the offence”) could not be used to prove guilt. Without scientific corroboration, the recoveries lacked evidentiary value.

JUDICIAL APPROACH TO ACQUITTAL APPEALS

The Supreme Court reiterated that an appellate court may only interfere with a trial court’s acquittal if its findings are perverse or entirely unreasonable. The trial court observed the witnesses firsthand and acquitted for want of identification and credibility. The High Court failed to find any perversity or error in the trial court judgment before reversing it. The Supreme Court quoted, “It is safer and more appropriate to rely upon the findings of the Trial Court, which has seen the demeanour of the witnesses, rather than on those of the First Appellate Court.” Without underlying reasoning, i.e., establishing perversity, the High Court’s reversal was unsustainable and impermissible.

Rational Defects in the Law & Procedural Lapses

Absence of Test Identification Parade (TIP): The failure to conduct a TIP, which is essential when suspects are initially unknown, severely weakened the prosecution’s case. Without this crucial procedure, the testimony of PW-7, the sole eyewitness inside the house, was insufficient for establishing the accused’s identity beyond a reasonable doubt.

Non-Seizure of Bloodstained Clothes: Although PW-1 claimed to have hugged his dying son, resulting in bloodstains on his clothes, the police neither seized nor investigated this critical piece of evidence. This glaring omission created a significant gap in the evidentiary chain, undermining the credibility of the prosecution’s case.

Lack of Forensic Corroboration: The prosecution failed to produce any forensic laboratory reports confirming that the weapons recovered bore the deceased’s blood. Without such scientific linkage, there was no conclusive evidence connecting the accused to the murder weapons.

⁸ 1947 MWN CR 45

Absence of Independent Witnesses: Despite claims that several bystanders, shopkeepers, and field workers witnessed the incident, none were examined. This failure weakened the prosecution's narrative and contributed to the overall lack of reliability of the evidence presented.

Misapplication of Section 27 of the Indian Evidence Act: The police treated the statements of the accused regarding the recovery of weapons as confessions, rather than restricting admissibility solely to the information that led to the discovery of a fact. Following the principle laid down in *Pulukuri Kottaya and Ors. v. King Emperor* (1947)⁹ only the part of the statement directly leading to the discovery of an object is admissible, excluding confessional elements.

Excessive Interference by the High Court: The High Court's reversal of the trial court's acquittal without clearly demonstrating that the trial court's findings were perverse or manifestly erroneous went against the settled principle of judicial restraint as endorsed in *Manjunath and Ors. v. State of Karnataka* (2023).¹⁰ Such appellate interference, absent strong justification, disrupts the balance of the criminal justice system and infringes on the trial court's role as the primary fact-finder.

INFERENCES

The Supreme Court reinforced several vital principles:

High Evidentiary Standard: The Court emphasised that a conviction for a serious offence like murder under Section 302 IPC demands clear, concrete, and reliable proof identifying the accused as the perpetrator. Mere suspicion, assumptions, or circumstantial evidence without credible corroboration cannot form the basis for conviction. This standard protects against wrongful convictions and ensures only proven guilt merits punishment. In this case, because the eyewitness identification was unreliable and inconsistent, and no independent witnesses corroborated the prosecution's version, the threshold of proof beyond a reasonable doubt was unmet.

Strict Interpretation of Section 27 of the Indian Evidence Act: The Supreme Court restated the narrow scope of Section 27, which permits admissibility only of that part of an accused's statement that leads to the discovery of a fact or object. Details imparting guilt or admission of

⁹ 1947 MWN CR 45

¹⁰ 2023 SCC OnLine SC 1421

crime constitute inadmissible confessional evidence per Sections 25 and 26. Here, while the accused disclosed the weapons' location, no forensic proof linked these weapons to the murder. Consequently, such recovery could establish mere possession, not the commission of the crime. The Court rejected the prosecution's reliance on these statements as substantive evidence of guilt, safeguarding the accused's rights from self-incrimination in police custody.

Presumption of Innocence and Protection After Acquittal: Once a trial court acquits an accused after scrutinising evidence and witness demeanour, the presumption of innocence strengthens. The Court reinforced that appellate courts must not lightly overturn acquittals unless the trial court's conclusions are perverse, manifestly erroneous, or unsustainable. Mere differences in opinion or arguments in appeal do not justify interference. This principle upholds judicial discipline and preserves the dignity of trial courts, reflecting the constitutional guarantee to fair trial and protection against arbitrary convictions.

Judicial Deference to Trial Court Findings: The Supreme Court emphasised respecting the trial court's perspective, which sees the witnesses directly and assesses their credibility through demeanour and conduct. This firsthand assessment is invaluable and cannot be replaced by appellate speculation. The High Court's failure to find perverse error while reversing the acquittal demonstrated judicial overreach. The Supreme Court thus restored reliance on the trial court's balanced judgment, strengthening the principle of judicial restraint in appeals.

Accountability and Gaps in Police Investigation: A significant inference from the judgment is the critical spotlight on investigative lapses. The failure to conduct a test identification parade, non-seizure of bloodstained clothes mentioned by a key witness, absence of independent eyewitnesses' examination, and non-production of forensic laboratory reports collectively weakened the prosecution's case. These shortcomings underscore the urgent need for police to uphold high professional standards, ensure meticulous evidence management, and promote scientific rigour in criminal investigations. The Court's judgment reminds law enforcement agencies that justice depends on integrity in factfinding processes, not on assumptions or procedural shortcuts.

CONCLUSION

The Rajendra Singh & Ors. v. State of Uttaranchal verdict stands as a textbook reaffirmation of the legal maxim: "Suspicion, however grave, cannot take the place of proof." By restoring

the trial court's acquittal and censuring the High Court's overreach, the Supreme Court has set an enduring precedent favouring defendant rights and due process.

The case starkly reminds prosecuting and investigating authorities that criminal justice depends on the integrity of the process—not on presumptions of guilt. Critical failings in witness identification, evidence seizure, and forensic corroboration cannot be glossed over. The appellate process must be marked by restraint, intervening only when the acquittal is not merely wrong, but manifestly perverse.

Ultimately, the judgment reaffirms the foundational principle: in criminal law, it is better that ten guilty go free than one innocent be wrongfully convicted. The benefit of doubt is not weakness, but the supreme strength of criminal jurisprudence. The Supreme Court's decision not only corrects the evidentiary error in this specific case but also upholds the essential balance between crime control and individual rights—reinforcing the rule of law in India's criminal justice system.