

<b>Date of Institution</b>	<b>Date of Judgment</b>	<b>Age</b>
20-07-2018	27-05-2026	7 Y, 10 M, 7 D
<b>Date of Argument</b>	<b>Date of Judgment</b>	<b>Age</b>
19-05-2026	27-05-2026	0 Y, 0 M, 8 D
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27-05-2026	27-05-2026	0 Y, 0 M, 0 D

UPAN010033052018



## IN THE COURT OF SESSIONS JUDGE, AMBEDKAR NAGAR

**Presiding Officer:** Chandroday Kumar, H.J.S.

**Session Trial Number:** 108 of 2018

*(Arising out of Case Crime No. 34 of 2018, Police Station Jaitpur, District Ambedkar Nagar)*

### STATE OF UTTAR PRADESH

----- Prosecution

### VERSUS

1. **Rahul**, Son of Ramdaur
2. **Ramdaur**, Son of Ramsamujh

*Both Residents of Village Vallipur, Police Station Jaitpur, District Ambedkar Nagar.*

-----Accused Persons

**Under Sections 498A, 304B** of the Indian Penal Code (IPC) and Sections 3/4 of the Dowry Prohibition Act, 1961 (DP Act); Alternatively under Section 302 read with Section 34 of the IPC.

### Appearance:

- For the State: Sri Govind Srivastav, Learned District Government Counsel (Criminal)
- For the Accused: Sri Santosh Kumar Srivastav, Learned Defence Advocate

## JUDGMENT

## INTRODUCTION & PROSECUTION STORY

1. The accused persons, Rahul (husband) and Ramdaur (father-in-law), have been put to trial before this Court for allegedly committing offences punishable under Sections 498A, 304B of the IPC and Sections 3/4 of the Dowry Prohibition Act, alongside an alternative charge under Section 302 read with Section 34 of the IPC, in connection with the unnatural death of Smt Seema Devi.
2. As the offences are exclusively triable by a Court of Session, the case was committed to this Court by the learned Chief Judicial Magistrate, Ambedkar Nagar, via an order dated July 11, 2018, under Section 209 of the CrPC.
3. **Factual Matrix:** The prosecution mechanism was set in motion via a written complaint (Exhibit Ka-1) submitted on April 17, 2018, at 16:00 hours by Suraj Kumar (PW-1), the brother of the deceased, at Police Station Jaitpur. The case profile indicates that Seema Devi's marriage to the accused, Rahul, was solemnised approximately six years before the incident, in accordance with Hindu rituals, and that the customary post-marriage ceremonies (*Gauna* and *Doga*) were duly completed. A female child, Anokhi, was born from this wedlock. It was alleged that the marital relations subsequently deteriorated, and the accused persons began torturing the deceased to press for unmet dowry demands.
4. The informant stated that on April 16, 2018, at around 03:00 hours, the health of the deceased deteriorated critically. While the informant's family was rushing to her matrimonial home, they encountered the accused persons transporting the deceased near Jalalpur. The deceased was taken to Nagpur Hospital, examined by local doctors, and subsequently rushed to the District Hospital, Ambedkar Nagar. Due to her critical status, she was referred to Lucknow but succumbed on the way. The informant subsequently alleged that the accused husband and father-in-law had poisoned his sister to death due to non-fulfilment of dowry demands.
5. On the strength of this complaint, Case Crime No. 34/2018 was formally registered by Head Moharrir Awadhesh Kumar Maurya (PW-6), and the corresponding computer-generated chick FIR (Exhibit Ka-5) and General Diary (GD) entry (Exhibit Ka-6) were recorded.

## INVESTIGATION AND TRIAL PROCEEDINGS

6. The Investigating Officer launched the statutory investigation. During the process, an inquest (*Panchayatnama*) was conducted under the supervision of Executive Magistrate/Tehsildar Prabhaker Tripathi (PW-10), and the body was sent for post-

mortem examination. The IO inspected the spot, drafted the site map (Exhibit Ka-8), recorded statements under Section 161 CrPC, and collected material evidence. Upon completion of the investigation, the charge-sheet (Exhibit Ka-7) was submitted.

7. The learned Chief Judicial Magistrate, Ambedkar Nagar, took formal cognisance on July 11, 2018, complied with Section 207 CrPC, and committed the case for trial.
8. **Framing of Charges:** This Court framed formal charges against both accused under Sections 498A, 304B IPC and Sections 3/4 of the DP Act, along with an alternative charge under Section 302 read with Section 34 IPC. The accused persons pleaded not guilty and claimed a trial.

### **POINTS FOR DETERMINATION**

9. To decide the criminal liability of the accused, the Court formulates the following points for determination:
  - 1) **Point A:** Whether the deceased Seema Devi died an unnatural death, other than under normal circumstances, within seven years of her marriage?
  - 2) **Point B:** Whether the prosecution has established beyond a reasonable doubt that the deceased was subjected to cruelty or harassment by her husband or his relative "soon before her death" for, or in connection with, any demand for dowry?
  - 3) **Point C:** Whether the statutory presumptions under Section 304B IPC and Section 113B of the Indian Evidence Act, 1872, are triggered against the accused?
  - 4) **Point D:** Alternatively, whether the accused persons, in furtherance of a common intention, deliberately administered a lethal poison to the deceased, thereby committing murder punishable under Section 302/34 IPC?

### **EVIDENCE ON RECORD**

#### **Prosecution Evidence**

10. In support of its claims, the prosecution examined the following oral witnesses before the court:
  - 1) Prosecution Witness-1 (PW-1): Complainant Suraj Kumar
  - 2) PW-2: Raj Kumari
  - 3) PW-3: Ram Paras

- 4) PW-4: Rajendra Kumar
- 5) PW-5: Dr. Sunil Kumar Maurya
- 6) PW-6: Constable Moharrir Awadhesh Kumar Maurya
- 7) PW-7: Retired C.O. Chhadamilal
- 8) PW-8: Assistant Commandant Amar Bahadur
- 9) PW-9: Retired Circle Officer Kamlakant Mishra
- 10) PW-10: Prabhaker Tripathi (Sub-Divisional Magistrate/Tehsildar)

11. The prosecution produced the following documentary evidence:

- 1) Written Complaint: Exhibit Ka-1
- 2) Inquest Report (Panchayatnama): Exhibit Ka-2
- 3) Post-Mortem Report: Exhibit Ka-3
- 4) Letter of Chief Medical Officer: Exhibit Ka-4
- 5) Chick FIR: Exhibit Ka-5
- 6) Case Institution GD: Exhibit Ka-6
- 7) Charge-Sheet: Exhibit Ka-7
- 8) Site Map (Nazri) of the incident spot: Exhibit Ka-8
- 9) Letter of Chief Medical Officer: Exhibit Ka-9
- 10) Letter of Reserve Inspector: Exhibit Ka-10
- 11) Photonash (Dead body photograph): Exhibit Ka-11
- 12) Specimen Seal: Exhibit Ka-12
- 13) Police Form No. 33: Exhibit Ka-13
- 14) Forensic Report: Exhibit Ka-14

12. The statements of the accused Rahul and Ramdaur were recorded under Section 313 of the Code of Criminal Procedure (CrPC). The accused persons termed the prosecution's story as false, stated that the prosecution witnesses gave false evidence, and claimed that the charge-sheet was submitted based on a faulty investigation. They stated that the case is driven by enmity. In their special statement, the accused persons stated that there was no dispute regarding dowry, nor was any dowry demanded. The deceased was insisting on going to her maternal home, and over that issue,

she consumed a poisonous substance. At the time of the incident, they were working in the fields. Upon receiving information, they went home and took the deceased to Nagpur Jalalpur Hospital for treatment. On being referred, they were taking her to Lucknow when she died on the way. They made every effort to save the deceased.

13. In defence of the accused persons, Defence Witness-1 (DW-1) Baljor was examined as oral evidence, and no documentary evidence was produced.
14. Arguments on behalf of the prosecution by the learned District Government Counsel (Criminal) and on behalf of the accused persons by their learned advocate were heard.
15. The argument presented on behalf of the prosecution is that it is proved by prosecution evidence that about six years before the incident, the marriage of the complainant Suraj Kumar's sister, Seema Devi, was solemnised with the accused Rahul according to Hindu rituals. The accused persons were demanding a chain and a motorcycle as dowry from the deceased Seema Devi, and over this demand, they were harassing her physically and mentally. When the demand was not met, they murdered the deceased Seema Devi by administering a poisonous substance to her at 3:00 PM on 16.04.2018. The charges against the accused persons have been proved, and they deserve to be convicted.
16. The argument presented on behalf of the defence is that the First Information Report of the incident was registered in a well-thought-out manner after the post-mortem, falsely naming the accused. There are contradictions in the statements of the witnesses. There is no independent witness to the incident. No motive for the incident has been proved against the accused persons. The deceased was insisting on going to her maternal home, and out of stubbornness, she consumed a poisonous substance on her own, resulting in her death. At the time of the incident, the accused persons were working in their fields. Full efforts were made by the accused persons to save the deceased. From the evidence produced by the prosecution, the prosecution's story is completely doubtful, and the accused persons deserve to be acquitted of the charges levelled against them.

**ORAL DEPOSITION VERBATIM:**

17. Prosecution Witness-1, Suraj Kumar (Complainant), stated on oath during his chief examination on 31.10.2018:

"The marriage of my sister Seema Devi was solemnised with Rahul, son of Ramdaur, about six years ago. My father had given

dowry and gifts in Seema's marriage according to his capacity. My sister Seema was living happily with her husband and family. Meanwhile, my sister gave birth to a daughter named Anokhi, who has been living with me since my sister's death. My brother-in-law, Rahul and his father, Ramdaur, used to demand a motorcycle and a gold chain in dowry from my sister a few days after the marriage. During her stay at her in-laws' house, some bitterness arose between my sister and my brother-in-law. For this reason, and due to the demand for dowry, they used to harass my sister. I visited my sister's matrimonial home several times and thoroughly counselled my sister's husband and father-in-law regarding these matters, but they did not desist from their behaviour. On 16.04.2018 at around 3:00 PM, upon receiving information that my sister's health had deteriorated severely, I and my family members were going to her house. Near Jalalpur, Rahul and his father were bringing my sister. We met, and then we took my sister to Nagpur and showed her to a doctor, who referred her to the District Hospital, Ambedkar Nagar. Due to her critical condition at the District Hospital, the doctor referred her to Lucknow. While being taken to Lucknow for treatment, my sister died on the way. Upon receiving information of her death, I went to my sister's matrimonial home in Vallipur. My brother-in-law, Rahul and his father, Ramdaur, brought my sister's body home, placed the body in front of the house, locked the house, and fled. I came to know from some villagers that the aforementioned accused persons poisoned my sister to death because the demand for dowry was not met. Regarding the incident that occurred with my sister, I got a complaint dictated through an acquaintance who is an advocate, signed it, and submitted it at Police Station Jaitpur, which is the attached file paper 3A/3. It bears my signature, which I confirm. It has been marked as Exhibit Ka-1. After my report was registered at the police station, the police conducted the inquest of my sister's body through the Tehsildar in front of the witnesses and me. It bears my signature and those of the witnesses, which I confirm. It has been marked as Exhibit Ka-2. I was present on the spot during the inspection of the crime scene, and the C.O. recorded my statement."

**18.** Upon cross-examination by the defence, PW-1 Suraj Kumar stated on oath:

"My father is alone; he has no other brother. I have eight sisters. Seema was the second sister. A paternal uncle from our neighborhood has relations in the village of the accused; he

arranged the alliance. My father and uncle went to fix sister Seema's marriage. The marriage concluded safely. When Seema was sent to her matrimonial home for the first time, it was decided at our place when we would go to bring her back. The people who went to bring Seema back the first time did not stay; they went during the day and returned the same day. I do not remember whether I got the date, month, and year of my sister's marriage written in the report or not. I had told the C.O. the date, month, and year of the marriage. The C.O. arrived one hour after the report was registered. Until my sister's *Gauna* and *Donga* took place, her relations with her in-laws remained normal. A year and a half after the marriage, a girl child was born to my sister. My brother-in-law lived in Bombay and worked there. Two to two and a half years after the marriage, relations between my sister and brother-in-law soured. At that time, there was no talk of dowry. I received information about the incident on 16.04.2018 at around 5-6 PM. A girl from the accused's village gave the information via mobile phone. The information was received by my mother. I do not know the number of the mobile phone from which the information was given. When I received information about my sister's critical condition, I was at my small shop in the village. Someone told me at the shop, so I went home. People told me that Seema's condition was very critical, and Rahul and Ramdaur beat her and fed her poison. Rahul had fed the poison with his own hands. I got both of these things written in my report and also told this to the C.O. If this is not written in the report, I cannot state the reason. Today, for the first time, I am stating the matter regarding beating my sister prior to her death and feeding her poison. Upon receiving the information, we left for my sister's matrimonial home at around 7-8 PM. My mother, uncle, aunt, paternal aunt, and other people totaling 7-8 persons were with me. Before Rahul's village, in the Jalalpur market, we met the accused persons with my sister. They were sitting by the roadside in Jalalpur with my sister. Until then, my sister was alive. Then we took Seema to the District Hospital, from where the doctor referred her to Lucknow. My sister was being taken to Lucknow for treatment when she passed away on the way. At that time, I was not with her. Ramdaur and Rahul were with her. Before my sister died, the 100-number police personnel told us to go and file an FIR. The information about my sister's death was given by Ramdaur's elder brother. I do not remember what time the information about her death was received. Fifteen days before the incident, Ramdaur had beaten my sister severely. That same day I went to my sister's

matrimonial home, and at 11:00 PM, Ramdaur told me to take Seema away, so I brought her back. I do not remember whether I told this to the C.O. or not. It is wrong to suggest that I went to bring her back and the in-laws did not let her leave. My sister Seema wanted to come to her maternal home, and when she was not sent, she consumed poison herself. It is wrong to suggest that no such incident occurred as I have described. It is wrong to suggest that the accused did not demand dowry."

**19.** Prosecution Witness-2, Raj Kumari, stated during her chief examination on 02.02.2019:

"The deceased in this case, Seema, was my daughter. Her marriage was solemnized with the accused Rahul six years before her death according to Hindu rituals, and she departed for her matrimonial home during the marriage itself. Out of the union with my son-in-law, my daughter gave birth to a girl, and all three were living together. After this, my son-in-law started remaining angry with my daughter and, along with his father, began torturing my daughter in various ways. My son-in-law's father had been demanding a motorcycle and a gold chain since the marriage. We were unable to give them, so they remained angry with my daughter. My daughter used to tell us about this over the phone and whenever she visited. We counseled the accused persons a lot, but they did not listen. On 16.04.2018 at three o'clock, upon receiving information that my daughter's health was critical, I went to her matrimonial home with my family; on the way, near Jalalpur, Rahul and his father were bringing my daughter. Seeing my daughter's critical condition, the doctors at Jalalpur referred her to Lucknow, and while being taken to Lucknow, my daughter died on the way. After this, the accused brought my daughter to the house, kept the corpse at the door, and absconded. Then the villagers told us that the accused poisoned your daughter to death for dowry. The report of the incident was filed by my boy Suraj at Police Station Jaitpur. The C.O. Sahib recorded my statement."

**20.** Upon cross-examination by the defence, PW-2 Raj Kumari stated on oath:

"My daughter was married in the year 2012. My husband went to find the alliance. The alliance was good; they did not make any demands or screening. The girl child was born two years after the marriage. The marriage concluded safely. After marriage, my daughter used to live only at her matrimonial home. My husband earns in Delhi. When my daughter passed away, my husband was

in Delhi. I and my boy live at home. After the marriage, my son-in-law used to visit my house. I received information about my daughter's death... rather, the information about her health deteriorating was received from a relative over the phone. The phone call came to me at 11 o'clock in the day. My mother-in-law, younger sister-in-law, elder sister-in-law, totaling six people went. Her condition was critical. We arranged a vehicle and left home at six o'clock in the evening. It takes one and a half to two hours to go from my house to Rahul's house. Rahul and Ramdaur met us in Jalalpur itself with the girl. They met at Doctor Shiv Kumar's place in Jalalpur. The doctor did not admit her. From there, the doctor referred my girl to Lucknow. Thereafter, I and my boy were taking my girl to Lucknow in an ambulance; on the way, my girl died. Rahul and Ramdaur left her and fled. After my girl died on the way, we took her body to her matrimonial home. When we kept the body at Ramdaur's door, no one was found there, so the body was taken for a post-mortem. Her body was taken away by the police personnel. The police personnel had come to Ramdaur's house. The police recorded my statement on the spot. They also recorded the statement of the child who was in arms. Thereafter, they lifted the body and took it to the police station. The body was taken from the house for post-mortem at two o'clock in the day. My thumb impression was not taken on the inquest report (Panchayatnama). I cannot say whether my daughter's inquest was done at the house or not. My daughter's post-mortem was conducted on the third day. No panchayat (community meeting) took place regarding the demand for dowry. It is wrong to suggest that no demand for dowry of any kind was made by the accused Ramdaur and Rahul. It is also wrong to suggest that no such incident took place as I have testified. It is also wrong to suggest that my boy had gone to bring my daughter back, and she was not sent, and for this reason, my daughter consumed something on her own. It is also wrong to suggest that because she consumed something, Rahul and Ramdaur made extensive efforts to save her."

**21.** Prosecution Witness-3, Ram Paras, stated during his chief examination on 23.02.2019:

"The deceased in this case, Seema, was my daughter. Her marriage was solemnized with the accused Rahul six years before her death. She departed for her matrimonial home during the marriage itself. Soon after my daughter went to her matrimonial home, her in-laws, driven by greed, began demanding a motorcycle and a gold

chain. They made this demand to both me and my daughter and harassed my daughter in various ways. My daughter frequently gave information about this to me and my family members. On 16.04.2018, information was given to my family by a relative that my daughter's health had suddenly deteriorated severely; at that time, I was in Delhi. Upon receiving the information, my boy and my wife reached Jalalpur Hospital. At that time, my daughter was in an unconscious state. From there, my daughter was referred to Lucknow, and she died on the way while being taken to Lucknow. I came home after receiving the news of my daughter's death, and my family members told me that the accused brought my daughter from the way back to the house, placed the body at the house door, and fled. People around the village told me that Rahul and Ramdaur poisoned my daughter to death. My daughter's death occurred due to the non-fulfillment of dowry. The report of the incident was registered by my boy Suraj. The C.O. recorded my statement."

**22.** Upon cross-examination by the defence, PW-3 Ram Paras stated:

"I was not at home at the time of the incident. I was in Delhi at that time. I received information about the incident on the morning of 17.04.2018. I arrived home on 18.04.2018. I had gone to Delhi about six months before the incident. Whatever my family members told me regarding the incident, I only know that much. Apart from this, I know nothing. A neighbor living next to my house arranged the marriage. I had also gone; the marriage was fixed in a single visit. The groom's side made no demands during the marriage. After the marriage, I went to my daughter's house once to bring her back. The day I went, I brought her back and returned the same day. Everything was fine for two years after the marriage. No panchayat ever took place between me and Rahul or his family. I had not done any paperwork anywhere regarding the harassment of my daughter. My daughter used to stay at her matrimonial home for most of the time. I used to counsel her. I used to go alone to counsel them. It is wrong to suggest that no demand for dowry was ever made by Rahul and Ramdaur. It is also wrong to suggest that no such incident occurred as I have testified. It is also wrong to suggest that my boy had gone to my daughter's house to bring her back, she was not sent, and for this reason, she committed suicide on her own."

**23.** Prosecution Witness-4, Rajendra Kumar, stated on oath during his chief examination on 30.10.2019:

"The marriage of Seema, the daughter of my cousin Ram Paras, was solemnized with Rahul about seven years ago. In the marriage, my brother Paras Nath had given gifts and dowry according to his capacity. However, Seema's in-laws were not happy with this and demanded an additional motorcycle and a gold chain. Whenever Seema came home, she used to tell this to the family members or to me. We used to counsel her. About a year and a half after the marriage, a girl child was born to Seema. The accused Rahul and Ramdaur used to beat Seema. On 16.04.2018, the accused administered poison to Seema, due to which she died during treatment. Upon receiving information, we went to Seema's house. The Daroga ji questioned me regarding the incident, and I told him."

24. Upon cross-examination by the defence, PW-4 Rajendra Kumar stated:

"The deceased was my niece. I went to arrange her marriage. Her marriage took place safely. No dispute occurred during the marriage. Prior to the death of the deceased and after the marriage, I went to her matrimonial home two or three times. Upon going there, I was offered tea and snacks. I cannot state how many days before Seema's death I had gone to her matrimonial home. I went to her matrimonial home after receiving news of her death. No panchayat took place in front of me regarding the demand for dowry, nor is any panchayat in my knowledge. I do not remember the day and date of the deceased's marriage. Four to five days after the incident, the Daroga ji recorded my statement in Jalalpur. It is wrong to suggest that I am testifying in this case at the behest of my brother Ram Paras. It is also wrong to suggest that no such incident occurred, as I have testified. It is also wrong to suggest that the accused used to beat the deceased over dowry. It is also wrong to suggest that the accused demanded dowry."

25. Prosecution Witness-5, Dr Sunil Kumar Maurya, stated on oath during his chief examination:

"On 18.04.2018, I was posted at PHC Alapur. On that day, I was on duty for conducting post-mortems. The body of the deceased Seema, wife of Rahul, was brought for post-mortem by Constable Anita Saroj and Arun Pratap Singh of Police Station Jaitpur. The body of the deceased was sealed and monogrammed in a white cotton cloth. Finding the seal intact, I opened it and conducted the post-mortem of the body on 18.04.2018 at around 2:20 PM.

External Examination: The body of the deceased was of average height, build, and muscle. Both eyes were closed, mouth was closed. Teeth were 16/16 on top and bottom. Rigor mortis was present throughout the body; nails were cyanosed. A green-colored cannula was attached to the right hand. A blue-colored cannula was attached to the left hand.

Antemortem Injury: An abraded contusion measuring 10 x 15 cm was present on the left side of the face on the left ear.

Internal Examination: Both lungs were congested. The heart was partially filled with red blood. The stomach contained about 100 ml of brownish-colored liquid substance. Mucosa was congested. Semi-solid material, half-digested food, and gas were present in the small intestine. Faecal matter and gas were present in the large intestine. The gallbladder was full. Kidneys and spleen were congested. The urinary bladder was partially full. The head was normal. The brain was congested. The neck was normal. The spinal ring was not opened. The probable time of death could be within one day of the time of post-mortem.

Cause of Death: As the exact cause of death could not be ascertained, the viscera were preserved for chemical analysis. At the time of the post-mortem, the following items/clothes were found on the body of the deceased: a red saree, a red blouse, a black-pink bra, an orange petticoat, a dark blue panty, two glass bangles in the right hand, a steel bangle in the left hand, a hairband, a hair clip, and a yellow metal nose ring – totaling 12 items. I made a bundle of these, sealed them with a monogram, and handed them over to the concerned constable along with the viscera. All 11 documents brought at the time of the post-mortem were signed and stamped by me and given to the concerned Constable Anita Saroj to be handed over to the Superintendent of Police, Ambedkar Nagar, along with the post-mortem report, which I prepared in my handwriting and signature at the time of the post-mortem. The original post-mortem report, paper no. 5A/16, included in the file, is before me; it is in my handwriting and signature. I confirm it, and it has been marked as Exhibit Ka-3. The letter sent by the Reserve Inspector, Police Lines, Ambedkar Nagar, to the Chief Medical Officer, Ambedkar Nagar, brought at the time of the post-mortem, is before me in original as paper no. 5A/5 included in the file, on which I affixed my signature and seal. I confirm it, and it has been marked as Exhibit Ka-4."

**26.** Upon cross-examination by the defence, PW-5 Dr Sunil Kumar Maurya stated on oath:

"Rigor mortis was present throughout the body of the deceased. This made it clear that the death of the deceased occurred within 24 hours of the time of the post-mortem."

**27.** Prosecution Witness-6, Constable Awadhesh Kumar Maurya, stated during his chief examination on 27.04.2022:

"On 17.04.2018, I was posted as Constable Moharrir at Police Station Jaitpur, District Ambedkar Nagar, and was present on clerical duty that day. The complainant of Case Crime No. 34/2018 under Sections 498A, 304B IPC and 3/4 DP Act, Suraj Kumar, along with companions Jiyalal and Kuldeep Kumar, came to the police station and submitted a written application in Hindi script and signed by himself dated 17.04.2018, regarding the harassment and attempt to kill by poisoning his sister Seema by her in-laws. On the verbal direction of the Station House Officer (SHO), I registered Case Crime No. 34/2018 under Sections 498A, 304B IPC and 3/4 DP Act based on the complainant's complaint, and got the Chick FIR recorded verbatim by dictating it to Computer Operator CCTNS Constable Raju Yadav. I recorded the details of this in GD Report No. 30 of the police station dated 17.04.2018 at 16:00 hours. The original Chick FIR paper no. 33/1 to 3A/2, included in the file, is before me. It is prepared via computer. It bears the signature of the SHO. I confirm the Chick FIR, and it has been marked as Exhibit Ka-5. The aforementioned GD Report No. 30, paper no. 53/4 is included in the file, which is before me. It is prepared via computer, which I confirm, and it has been marked as Exhibit Ka-6. The Daroga ji recorded my statement."

**28.** Upon cross-examination by the defence, PW-6 Constable Awadhesh Kumar Maurya stated:

"I registered the First Information Report of this case. I registered the case on the verbal order of the SHO. On the day I registered the FIR, my duty at the police station office was from nine o'clock in the morning until nine o'clock at night. The duty register of the police station is kept in the police station office. My post in the office was that of Police Station Constable Moharrir. Apart from me, a Head Constable was also appointed at the police station at that time. I do not remember how many cases in total I registered on that day. Today, I do not remember which cases I registered before and after this case on that day. This case was registered by me by dictating to CCTNS Constable Raju Yadav, and I also got

the GD prepared by dictating to CCTNS Constable Raju Yadav. Apart from the Chick FIR and GD, I did not prepare any document in this case. The statement I gave today about registering the case upon the verbal order of the SHO was not recorded by me in the GD. The complainant reached the police station at half-past three. The time of registering the case is marked as 16:00 hours in the GD of the police station. First, I got the GD of the case prepared, and thereafter, I got the Chick of the First Information Report prepared. In this very GD No. 30 dated 17.04.2018, I have mentioned the departure of the SHO from the police station to the spot of the incident. The SHO went to the incident spot from the police station following the case institution GD Report No. 30 dictated by me. He did not record his departure in the GD himself. After he left the police station, the charge of the police station was given to the Day Officer. Prior to the registration of the case and the GD entry, I had no other information regarding this case. Based on what the SHO told me, I have mentioned the prior presence of Sub-Inspector Sadanand Singh and Constable Arun Pratap Singh at the incident spot in the GD. I obtained the signatures of the complainant on the Chick First Information Report, which was done on the copy meant for the police station office, not on the copy meant for the court."

**29.** Prosecution Witness-7, Retired C.O. Chhadamilal, stated during his chief examination on 28.06.2022:

"On 25.04.2018, I was appointed as C.O. Circle Jalalpur. I generated CD Pargha No. 2 of this case, in which I received the inquest report (Panchayatnama) and post-mortem report of the deceased Smt. Seema from the office and recorded them on the CD."

**30.** Upon cross-examination by the defence, PW-7 Retired C.O. Chhadamilal stated:

"I was under transfer. During that time, the investigation of this case was handed over to me. During the investigation, I generated Case Diary Pargha No. 2, in which I perused the inquest report and post-mortem report and recorded them in the Case Diary. CD Pargha No. 1 was generated by C.O. Amar Bahadur. It is correct to suggest that I conducted all the proceedings of the investigation sitting in the office."

**31.** Prosecution Witness-8, C.O. Amar Bahadur, stated during his chief examination:

"On 29.05.2018, I was working as C.O. Jalalpur. I received the investigation of Case Crime No. 34/2018 under Sections 498A, 304B IPC and Sections 3/4 DP Act of Police Station Jaitpur. I generated CD Pargha No. 6 on 29.05.2018, in which I recorded the statements of inquest witnesses Chitrasen Singh, Pradeep Kumar Singh, Jiyalal, Suraj, and Kuldeep in the CD. On 31.05.2018, I generated CD Pargha No. 7, in which I took the remand of the accused. On 02.06.2018, I generated CD Pargha No. 8, in which I recorded the statements of Inspector Sadanand Singh (who filled out the inquest), his companion Constable Arun Pratap Singh, female Constable Anita Saroj, and Tehsildar Magistrate Prabhaker Tripathi. On 09.06.2018, I generated CD Pargha No. 9, in which I recorded the further statement of the complainant and perused the admission report of the Forensic Science Laboratory and attached it to the CD. On 10.06.2018, I generated CD Pargha No. 10, in which I recorded the statement of the post-mortem doctor, Dr Sunil Kumar Maurya, in the CD. Based on the witnesses, crime scene inspection, perusal of the inquest report, and PM report, the offences under Sections 498A, 304B IPC and Sections 3/4 DP Act were found well-proven against the accused Rahul and Ramdaur; hence, the charge-sheet via Charge-Sheet No. 49/2018 dated 10.06.2018 was sent to the court. The original charge-sheet paper no. 3A/1 to 3A/3 are attached to the file before me. It bears my signature, which I confirm. The charge-sheet has been marked as Exhibit Ka-7."

**32.** Upon cross-examination by the defence, PW-8 Assistant Commandant Amar Bahadur stated:

"The prior investigation of this case was conducted by my predecessor. I took over the investigation of this case as per the orders of the Superintendent of Police, Ambedkar Nagar. I had previously perused CD Purcha Nos. 1 to 5, but I have not mentioned it in any of the purchas generated by me. The purchas generated by me were written by my reader, whom I dictated to and on whom I affixed my signature. It is wrong to suggest that I conducted all the proceedings sitting in my office. The viscera were sent for examination, which had not been received by me up to the time of filing the charge-sheet. Despite not receiving the viscera report, I dispatched the charge-sheet. I could not state whether the death of the deceased occurred due to consuming poison or due to some other reason. It is wrong to suggest that I have sent a false charge-sheet against the accused persons under the influence of the complainant and other witnesses. It is also

wrong to suggest that no such incident occurred in the manner the case has been filed."

**33.** Prosecution Witness-9, Retired C.O. Kamlakant Mishra, stated on oath during his chief examination on 11.10.2022:

"On 18.04.2018, I was working as C.O. Alapur, and on that day, I was holding the charge of C.O. Jalalpur as the link officer. The case was registered as Case Crime No. 34/2018 under Sections 498A, 304B IPC and Sections 3/4 DP Act at Police Station Jaitpur, District Ambedkar Nagar, and the investigation came to me. I perused the received relevant documents, recorded the statements of FIR writer Constable Moharrir Awadhesh Kumar and complainant Suraj Kumar, and entered them into the CD. I inspected the crime scene at the instance of the complainant. I prepared the site map (Nazri) on the spot in my own handwriting and signature, which is included in the file as paper no. 5A/1, and I confirm it. It has been marked as Exhibit Ka-8. I generated CD Pargha No. 1 on 18.04.2018 and searched for the accused. Thereafter, upon the return of C.O. Jalalpur, the further investigation was taken back by him."

**34.** Upon cross-examination by the defence, PW-9 Retired C.O. Kamlakant Mishra stated:

"I had not received information of the death prior to the registration of the FIR. I received the investigation-related documents on the second day, on 18.04.2018. Then I came to know about the death of the deceased. According to the first information, the incident is stated to have occurred on 16.04.2018. The First Information Report was registered on the next day, 17.04.2018, and I received information about the incident on the following day, 18.04.2018. After receiving the information, I went to the spot of the incident and met the complainant. After receiving the documents, I commenced the investigation. I recorded the statement of the FIR writer at the police station itself. The complainant was also found at the police station. Till that time, the copy of the inquest report and post-mortem had not arrived at the police station. I have no information as to whether the post-mortem had been conducted by that time or not. I generated this purcha myself. When I reached the deceased's matrimonial home along with the complainant, the in-laws were not present there. It is wrong to suggest that I did not go to the spot of the incident. It is also wrong to suggest that I completed all

the proceedings of the case sitting in the office and got the entire process done by my assistant."

**35.** Prosecution Witness-10, Prabhaker Tripathi (Sub-Divisional Magistrate), stated on oath during his chief examination on 31.10.2022:

"On 17.04.2018, I was posted in Tehsil Jalalpur. On telephonic information from the S.D.M., I went to Vallipur village, Police Station Jaitpur, the matrimonial home of the deceased Seema of this case, where the police of Police Station Jaitpur were already present. I got the inquest report (Panchayatnama) prepared by the S.I. of Police Station Jaitpur under my supervision. Exhibit Ka-2 is already marked on the inquest report. It bears my signature. On paper no. 5A/8 (CMO Letter), paper no. 5A/9 (Reserve Inspector Letter), paper no. 5A/10 (Dead body photograph), paper no. 5A/11 (Specimen Seal), and paper no. 5A/12 (Chalan Nash), Exhibit Ka-9 to Exhibit Ka-13 have been marked respectively. All the documents of the inquest were prepared under my supervision. They bear my signatures, which I recognise."

**36.** Upon cross-examination by the defence, PW-10 Prabhaker Tripathi (Sub-Divisional Magistrate) stated on oath:

"The information of the incident was given to me by the then S.D.M. Jalalpur. The information was given via mobile. No document was given to me either from the side of the S.D.M. Jalalpur or from the side of the police personnel. I was at the scene of the incident for about one and a half to two hours. I talked to the people present on the spot about this incident. The villagers were asked to witness the inquest report, and those people acted as witnesses to the inquest report, which included people from the deceased's maternal and matrimonial sides. The inquest report is not in my handwriting. I dictated it to the present Daroga and got it written; I do not remember who the Daroga was. At the time of filling out the inquest report, the FIR had been registered. It is wrong to suggest that I did not go to the spot of the incident. Later, the police personnel came to my office and obtained my signature."

**37.** DW-1 Baljor stated on oath during his chief examination:

"The accused Ramdaur of this case belongs to my village. The daughter-in-law of the accused Ramdaur died after consuming poison, for which Ramdaur and Rahul are accused. I know this matter. About 5-6 years have passed since the incident. On the day

of the incident, I was working at a brick kiln. At around 6-7 o'clock, when I returned home, I came to know and went to Ramdaur's house; then I found out that Ramdaur's daughter-in-law had died after consuming poison. Ramdaur and Rahul had taken the deceased to Nagpur Jalalpur Hospital for treatment. I went to Nagpur Hospital. They administered medicine and treatment for an hour or two, and after that, they sent her to the District Hospital, Ambedkar Nagar. She was brought from Nagpur to the District Hospital by ambulance. Rahul was alone in the ambulance. Ramdaur and I reached the District Hospital by other means. We reached the District Hospital with the deceased around 10-11 o'clock. She remained admitted there through the night. In the morning, they referred the deceased Seema Devi to the Medical College, Lucknow. She was taken by ambulance to Lucknow. Rahul and I were along with her. Ramdaur returned home from the District Hospital to arrange money. Rahul has a mobile; he gave information to Seema's maternal family members using the mobile. By the time we reached Rudauli, she had died. The ambulance driver left us at Rudauli and returned. Later, after arranging another means of transport, Rahul and I came to the village with the corpse of the deceased. When we reached the village with the corpse, seven to eight people from the deceased's maternal side arrived. The corpse was taken down from the vehicle and kept below. The girl's brother, Suraj Kumar, started beating Rahul. Then the village people removed Rahul and Ramdaur from the spot. Whatever information I had regarding the incident, I have stated today."

**38.** Upon cross-examination by the prosecution, DW-1 Baljor stated on oath:

"I have studied up to class two or three. I can only write my name. I can state the English months and dates. I work as a labourer at a brick kiln. I was working as a labourer at Pramod Kumar's brick kiln in Bandipur at the time of the incident. I do not remember the date of the incident. I cannot tell anything specific about the date of the incident. I reached home at seven o'clock in the evening. I used to leave home at seven o'clock in the morning. I worked at the brick kiln all day. I did not receive any notice or summons from the court to give evidence. Ramdaur had called me. I have come to give evidence at his instance. I am stating exactly what Ramdaur told me. It is wrong to suggest that I am giving a false statement before the court."

**SUMMARY OF EVIDENCE:**

- 39.PW-1 (Suraj Kumar - Informant):** Brother of the deceased; deposed regarding generalised demands for a motorcycle and gold chain, but made critical omissions regarding the timeline of events.
- 40.PW-2 (Smt. Raj Kumari):** Mother of the deceased; stated that the accused met them mid-way at a doctor's clinic in Jalalpur while seeking emergency medical help for Seema.
- 41.PW-3 (Ram Paras):** Father of the deceased; admitted he was working in Delhi during the incident and possessed no direct personal knowledge of the occurrence.
- 42.PW-4 (Rajendra Kumar):** Cousin; gave a generic statement regarding marital discord. Under suggestion at the end of cross-examination, the witness refused the demand for dowry. Even if presumed that the witness gets confused in a negative suggestion, as generally happens, even though the connection of death and dowry is doubtful.
- 43.PW-5 (Dr Sunil Kumar Maurya):** Autopsy surgeon; noted internal congestion and an external abraded contusion (10 x 15 cm) on the left side of the face/ear. He preserved the viscera as the anatomical cause of death was unmapped.
- 44.PW-6 to PW-10:** Procedural, administrative, and investigating police/revenue officials who verified the registration of the case, crime scene mapping, and the inquest process.

**Critical Forensic Exhibit Added During Trial:**

**45.The Forensic Science Laboratory (FSL) Viscera Report** was subsequently brought on record and admitted into evidence. The report explicitly confirms that **Aluminium Sulphide** (a lethal chemical component commonly found in agricultural pesticides/rodenticides) was detected in the chemical analysis of the preserved organs, specifically within the:

- A piece of stomach and its contents
- Piece of intestine
- Piece of liver
- Piece of kidney
- Piece of spleen

**Statement Under Section 313 CrPC & Defence Evidence**

46. The accused denied all incriminating circumstances. They stated that they never demanded dowry. Their specific defence is that the deceased was stubborn about visiting her maternal home immediately; when told to wait, she consumed the pesticide on her own accord out of anger. They asserted that upon discovering this, they immediately rushed her to Nagpur Jalalpur Hospital, then to the District Hospital, and were taking her to Lucknow via ambulance when she expired.

47. The defence examined **DW-1 (Baljor)**, an independent villager, who verified on oath that the accused persons actively arranged funds and ambulances, shifting the deceased across three hospitals in an attempt to save her life.

## APPRECIATION OF EVIDENCE & LEGAL REASONING

48. This Court has carefully evaluated the oral testimonies, forensic disclosures, and historical circumstances of the case file.

### 1. Factum of Unnatural Death Established (Point A)

49. With the introduction of the FSL Viscera Report, the chemical cause of death is no longer ambiguous. The presence of **Aluminium Sulphide** across the vital organs (stomach, intestine, liver, kidney, spleen, and stomach contents) confirms that the deceased died of chemical poisoning. Since the death occurred within six years of marriage via toxic ingestion, Point A is answered in the affirmative—the death occurred "otherwise than under normal circumstances" within seven years of marriage.

50. However, the mere fact of an unnatural death within seven years does not automatically attract a conviction under Section 304B or Section 302 IPC. The prosecution must still prove the remaining structural elements of the charges.

### 2. Failure to Prove Homicidal Administration (Alternative Charge under Section 302/34 IPC)

51. To convict the accused under Section 302 IPC for homicidal poisoning, the prosecution must satisfy the strict four-pronged test laid down by the Hon'ble Supreme Court in *Sharad Birdhichand Sarda v. State of Maharashtra 1984 AIR 1622, (1984) 4 SCC 116*. The prosecution must prove that the poison was forcefully administered by the accused.

52. In this case, there is no circumstantial evidence to suggest forced administration:

- **No Overt Act:** PW-1 claimed in court for the first time that Rahul "fed the poison with his own hands," but admitted this

was completely absent from his initial FIR and Section 161 CrPC statements. This is a clear, self-defeating improvement. Probably, this may be due to anger arising from the death of her sister in the matrimonial home.

- **Nature of Injuries:** The autopsy report notes an abraded contusion (10 x 15 cm) on the left side of the face/ear. If a deadly agricultural poison like Aluminium Sulphide were forcefully forced down the throat of an adult woman, there would be signs of struggle, such as lacerations on the lips, inside the oral cavity, around the neck, or on the wrists. No such marks are present. The facial abrasion alone cannot sustain an inference of forced homicidal poisoning.
- **Conduct of the Accused:** The behaviour of the accused is entirely incompatible with a homicidal design. As admitted by PW-1 and PW-2, the accused did not flee or conceal the body; they were found openly treating the deceased at local clinics and travelling in an ambulance to higher medical centres. This active effort to save her life establishes a lack of homicidal intent (*mens rea*). Therefore, the charge under Section 302 IPC fails entirely.

### 53. Sharad Birdhichand Sarada vs. Present Case:

1. Death by Poison?       -> PROVEN (Aluminium Sulphide found)
2. Accused in Possession?   -> NOT PROVEN (Common agricultural substance)
3. Forced Administration?   -> NOT PROVEN (No signs of oral struggle)
4. Conduct of Accused?   -> REBUTTED (Immediate hospitalisations)

### 3. Absence of Cruelty "Soon Before Death" for Dowry (Section 304B & 498A IPC)

54. To invoke the statutory presumption of dowry death under Section 304B IPC and Section 113B of the Evidence Act, the prosecution must establish that the deceased was harassed *in connection with a dowry demand soon before her death*.
55. The testimonies of the maternal relatives are plagued by material contradictions and a lack of proximity:

- **Admission of No Dowry Demand:** In a damaging admission during cross-examination, the brother of the deceased, PW-1, stated:

"Two to two and a half years after the marriage, relations between my sister and brother-in-law soured. **At that time, there was no talk of dowry.**"

- **Vague and Omnibus Allegations:** The assertions regarding the demand for a motorcycle and a gold chain are standard, generalised claims lacking specific dates, times, or localised instances. No previous complaint or panchayat regarding the demand of dowry or maarpeet.
- **Lack of Proximity:** No evidence has been brought forward to show any severe or compelling dowry coercion immediately preceding April 16, 2018. The argument that she was beaten 15 days prior was never verified or corroborated by independent neighbours or documented by the IO.

56. As settled by the Hon'ble Supreme Court in [Major Singh & Anr vs State Of Punjab on 9 March, 2015: CRIMINAL APPEAL NO. 1145/2012](#), a generalised marital dispute cannot be equated with systemic dowry harassment "soon before death."

#### 4. Rebuttal of Presumption: Plausibility of the Defence Version

57. The statutory presumption under Section 113B of the Evidence Act is rebuttable by a preponderance of probabilities. The defence has set up a highly consistent and plausible alternative narrative.

58. The deceased wanted to visit her maternal home, and a sudden domestic dispute erupted over this issue, leading her to consume the pesticide out of distress. This stance is fortified by the immediate, documented actions of the accused persons, who carried her to multiple medical facilities:

- **First stop:** Doctor Shiv Kumar's clinic / Nagpur Hospital in Jalalpur.
- **Second stop:** District Hospital, Ambedkar Nagar.
- **Third stop:** Referral to Lucknow, during which she expired near Rudauli.

59. This chain of medical rescue efforts is supported by the admissions of PW-1 and PW-2, and fully corroborated by the independent witness DW-1. Such conduct strongly indicates that the ingestion was a unilateral suicidal act, and the accused made real efforts to undo the fatal effects of the poison. I do not find any substance in the argument presented by the learned DGC that the efforts for medical treatment were sham. If the maternal family members of the deceased had doubts during the course of

treatment, they should have accompanied the deceased to Lucknow for further care.

60. The argument of absconding is not crucial. After death, anyone may feel frightened and leave. In the case of *Matru Alias Girish Chandra vs State Of Uttar Pradesh on 3 March, 1971 (1971 AIR 1050)*, the Hon'ble Apex Court has held as under:

" . . . . . The act of absconding is no doubt a relevant piece of evidence to be considered along with other evidence, but its value would always depend on the circumstances of each case. Normally, the courts are disinclined to attach much importance to the act of absconding, treating it as a very small item in the evidence for sustaining a conviction. It can scarcely be held as a determining link in completing the chain of circumstantial evidence which must admit of no other reasonable hypothesis than that of the guilt of the accused. In the present case, the appellant was with Ram Chandra till the FIR was lodged. If, thereafter, he felt that he was being wrongly suspected and he tried to keep out of the way, I do not think this circumstance can be considered to be necessarily evidence of a guilty mind attempting to evade justice. It is not inconsistent with his innocence."

## FINDINGS ON POINTS FOR DETERMINATION

- **Findings on Point A: Affirmative.** The deceased died an unnatural death within seven years of marriage due to Aluminium Sulphide poisoning.
- **Findings on Points B & C (Sections 498A, 304B IPC & 3/4 DP Act): Negative.** The prosecution has failed to establish that the toxic consumption was preceded by dowry-related cruelty soon before death. The statutory presumptions stand effectively rebutted by the defence.
- **Findings on Point D (Section 302/34 IPC): Negative.** There is no evidence of forced chemical administration, and the immediate medical rescue actions of the accused negate any homicidal intent.

## CONCLUSION

1. In criminal jurisprudence, the distance between "may be true" and "must be true" is long and must be traversed by the prosecution with clear, legally sustainable evidence. While the forensic finding of Aluminium Sulphide establishes an unnatural death, the prosecution has failed to link this consumption to either forced homicidal administration by the accused or to an immediate cycle

of dowry harassment. The defence has raised a plausible, substantiated explanation regarding self-consumption backed by bona fide medical rescue conduct. The accused persons are, therefore, fully entitled to the benefit of a reasonable doubt.

## FINAL ORDER

2. Consequent to the findings recorded above, the prosecution has failed to prove the charges beyond a reasonable doubt.

  - **Accused No. 1, Rahul, and Accused No. 2, Ramdaur,** are hereby **ACQUITTED** of the charges levelled against them under Sections 498A, 304B, and 302 read with Section 34 of the Indian Penal Code, and Sections 3/4 of the Dowry Prohibition Act.
  - The accused persons are on bail; their bail bonds are cancelled, and their sureties are discharged, subject to the procedural compliance of Section 437A of the CrPC.
  - The material objects and preserved forensic samples on record shall be disposed of in accordance with standard rules upon the expiration of the statutory period for filing an appeal.

**Judgment pronounced, signed, and dated in the open Court.**

**Date:** May 27, 2026

**(Chandroday Kumar)**

Sessions Judge,

Ambedkar Nagar (U.P.)

In compliance with the mandate of the Hon'ble Supreme Court of India in [Manojbhai Jethabhai Parmar \(Rohit\) vs The State Of Gujarat \(2025 INSC 1433\)](#), which calls for the institutionalisation of a uniform, systematic, and standardised cataloguing of evidence to enhance structural legibility and easy appreciation of trial records, the mandatory **Master Evidence Tables** for *Session Trial Number: 108/2018* are compiled below.

These tables serve as an analytical compendium of the entire evidentiary record.

## MANDATORY EVIDENCE CATALOGUE

*(Prepared under the directives of 2025 INSC 1433)*

**TABLE I: INDEX OF ORAL EVIDENCE (PROSECUTION WITNESSES - PWs)**

Witness No.	Name & Description of Witness	Classification	Core Deposition & Material Facts Established	Critical Weaknesses / Admissions / Omissions during Cross-Examination
PW-1	<p><b>Suraj Kumar</b></p> <p>(Complainant &amp; Brother of Deceased)</p>	Material / Informant	Married 6 years ago; alleged demand for a motorcycle & gold chain; found deceased in a critical state at Jalalpur; detailed transport across 3 hospitals.	<p><b>Material Improvement:</b></p> <p>Alleged for the first time in court that Rahul beat and forced poison down her throat; admitted no dowry talks occurred when relations initially soured.</p>
PW-2	<p><b>Smt. Raj Kumari</b></p> <p>(Mother of Deceased)</p>	Material	Alleged physical/mental harassment regarding dowry; confirmed meeting with the accused at a	<p><b>Corroborated Defence:</b></p> <p>Admitted that the accused Rahul and Ramdaur were actively</p>

Witness No.	Name & Description of Witness	Classification	Core Deposition & Material Facts Established	Critical Weaknesses / Admissions / Omissions during Cross-Examination
			medical clinic in Jalalpur while seeking emergency treatment.	attempting to save the deceased via ambulance transport to Lucknow.
PW-3	<p><b>Ram Paras</b></p> <p>(Father of Deceased)</p>	Hearsay / Informed	Stated that the marriage alliance was fixed without any pre-marital dowry screening, and generalised subsequent harassment.	<p><b>Absent from Scene:</b></p> <p>Admitted he was working in Delhi during the entire event and had zero personal or direct knowledge of the occurrence.</p>
PW-4	<b>Rajendra Kumar</b>	Hearsay / Corroborative	Testified that the marriage took place safely without	Admitted he had no knowledge of any community

Witness No.	Name & Description of Witness	Classification	Core Deposition & Material Facts Established	Critical Weaknesses / Admissions / Omissions during Cross-Examination
	(Cousin of Deceased)		disputes; echoed general family claims of additional dowry demands.	meeting ( <i>panchayat</i> ) regarding dowry and visited the matrimonial home comfortably.
PW-5	<p><b>Dr Sunil Kumar Maurya</b></p> <p>(Autopsy Surgeon)</p>	Expert / Medical	Conducted autopsy on 18.04.2018; noted an external abraded contusion (10 X 15 cm) on the left cheek/ear; preserved viscera as the cause of death was unknown.	Confirmed rigor mortis was present throughout the body could not determine any anatomical or forced signs of homicidal poison ingestion.
PW-6	<p><b>Constable Awadhesh K. Maurya</b></p>	Formal	Recorded the computer-generated Chick FIR and	Confirmed registration occurred on the verbal

Witness No.	Name & Description of Witness	Classification	Core Deposition & Material Facts Established	Critical Weaknesses/ Admissions/ Omissions during Cross-Examination
	(Constable Moharrir)		registered the institutional General Diary (GD) Report No. 30.	direction of the SHO and recorded the immediate departure of the police to the spot.
PW-7	<b>Chhadamiral</b>  (Retired Circle Officer)	Investigating	Maintained Case Diary Pargha No. 2; officially recorded the inquest and post-mortem reports into the investigation file.	<b>Procedural Admission</b> : Admitted that he conducted all his investigative proceedings sitting entirely inside his administrative office.
PW-8	<b>Amar Bahadur</b>	Investigating	Conducted later-stage investigation (CD Pargha 6 to 10);	<b>Severe Investigating Flaw</b> : Admitted that he

Witness No.	Name & Description of Witness	Classification	Core Deposition & Material Facts Established	Critical Weaknesses / Admissions / Omissions during Cross-Examination
	(Assistant Commandant / IO)		recorded statements of formal witnesses; submitted Charge-Sheet (Ex. Ka-7).	dispatched the charge-sheet without procuring or awaiting the FSL Viscera Report.
PW-9	<b>Kamlakant Mishra</b>  (Retired Circle Officer)	Investigating	Handled initial link investigation ; inspected crime scene and generated the hand-drawn Site Map (Nazri Map - Ex. Ka-8).	Confirmed that when he visited the matrimonial home along with the complainant, the accused persons were not present (on account of being at the hospital).

Witness No.	Name & Description of Witness	Classification	Core Deposition & Material Facts Established	Critical Weaknesses / Admissions / Omissions during Cross-Examination
PW-10	Prabhaker Tripathi  (SDM / Tehsildar)	Formal / Executive	Supervised the preparation of the Inquest Report ( <i>Panchayatnama</i> ) on-site at the village-Vallipur.	Stated that the inquest report was written down by a local police officer under his dictation; confirmed the presence of both maternal and matrimonial sides.

**TABLE II: INDEX OF DOCUMENTARY EVIDENCE (PROSECUTION EXHIBITS)**

Exhibit No.	Description of Document	Proving Witnesses	Legal Significance & Key Contents	Judicial Evaluation / Impact on Case
Exhibit Ka-1	Written Complaint / Application	PW-1	Initial written narrative alleging marital	Lacks specific dates of harassment; omits the

Exhibit No.	Description of Document	Proving Witnesses	Legal Significance & Key Contents	Judicial Evaluation / Impact on Case
			torture and suspicion of poisoning.	eyewitness claims of forced feeding later stated by PW-1.
Exhibit Ka-2	Inquest Report ( <i>Panchayatnama</i> )	PW-1, PW-10	Records the external condition of the body immediately after recovery.	Formed under magistrate supervision ; cross-notes a facial bruise but no signs of systemic asphyxia or physical binding.
Exhibit Ka-3	Post-Mortem Report	PW-5	Anatomical inspection documents internal organ congestion and facial injury.	Leaves cause of death open; explicitly states death occurred within 24 hours of autopsy.
Exhibit Ka-4	CMO Letter (Autopsy Dispatch)	PW-5	Administrative dispatch authority authorising the post-mortem.	Establishes a chain of custody for the dead body from the lines to

Exhibit No.	Description of Document	Proving Witnesses	Legal Significance & Key Contents	Judicial Evaluation / Impact on Case
				the medical officer.
Exhibit Ka-5	Chick FIR	PW-6	Formal institutional registration of Case Crime No. 34/2018.	Set criminal law in motion; prepared via CCTNS computer systems.
Exhibit Ka-6	Case Institution GD Entry	PW-6	GD Report No. 30, noting the exact time (16:00 hrs) of FIR generation.	Establishes the timeline of information entry at Police Station Jaitpur.
Exhibit Ka-7	Charge-Sheet	PW-8	Final statutory conclusion of the investigation finding prima facie guilt.	Premature; filed without checking or appending chemical forensic verification.
Exhibit Ka-8	Site Map (Nazri Map)	PW-9	Physical layout and topographical representation of the	Points to a standard domestic household setup; no physical

Exhibit No.	Description of Document	Proving Witnesses	Legal Significance & Key Contents	Judicial Evaluation / Impact on Case
			scene of the crime.	disruption found.
Exhibit Ka-9	Chief Medical Officer Letter	PW-10	Operational request for immediate post-mortem examination.	Procedural link reinforcing compliance with mandatory inquest guidelines.
Exhibit Ka-10	Reserve Inspector Letter	PW-10	Police lines documentation routing for forensic autopsy.	Verifies structural transmission of the deceased's body.
Exhibit Ka-11	<i>Photonash</i> (Dead Body Photos)	PW-10	Photographic record of the deceased used during the inquest.	Establishes the physical identity of the body subjected to autopsy.
Exhibit Ka-12	Specimen Seal	PW-10	Counter-seal impression used to secure preserved items and clothes.	Authenticates structural protection against tampering of material objects.

Exhibit No.	Description of Document	Proving Witnesses	Legal Significance & Key Contents	Judicial Evaluation / Impact on Case
Exhibit Ka-13	Police Form No. 33 (Chalan Nash)	PW-10	Formal document dispatching the corpse to the mortuary.	Procedural framework confirming regular police custody trail.
Exhibit Ka-14	FSL Viscera Forensic Report	<i>Produced via State Lab</i>	Chemical examination of the stomach, intestine, liver, kidney, spleen, and stomach contents.	<b>Confirms Poisoning:</b> Explicitly detects <b>Aluminium Sulphide</b> across all vital internal systems, establishing the chemical cause of death.

**TABLE III: INDEX OF DEFENSE EVIDENCE**

Witness / Exhibit No.	Name / Description	Nature of Evidence	Substantive Value & Facts Disclosed	Impact on Prosecution Case
DW-1	Baljor  (Independent)	Defence Witness (Oral)	Testified that the deceased consumed a chemical pesticide	<b>Rebuts Presumption:</b> Successfully establishes a preponderance of

Witness/ Exhibit No.	Name/ Description	Nature of Evidence	Substantiv e Value & Facts Disclosed	Impact on Prosecution Case
	Neighbour / Kiln Labourer)		following a stubborn domestic dispute regarding visiting her maternal home; verified that Rahul and Ramdaur actively transporte d her to local clinics, arranged ambulance s, and funded hospital admissions through the night.	probability regarding the <i>bona fide</i> rescue conduct of the accused; directly contradicts homicidal intent ( <i>mens rea</i> ) and shows a non- homicidal timeline.

**JUDICIAL MATRIX: CLAIMS VS. REBUTTALS**

*(Juxtaposed for Final Appreciation of Record under 2025 INSC 1433)*

1. **The Charge of Murder (Section 302 IPC):** Defeated by the absence of localised oral trauma, lip lacerations, or physical struggle marks on the corpse. Forceful administration of **Aluminium Sulphide** is unsupported by the autopsy findings (Exhibit Ka-3), while the swift medical mobilisation by the husband proves an intent to save, rather than destroy, life.
2. **The Charge of Dowry Death (Section 304B IPC):** Defeated by the explicit omission of ongoing dowry demands within the crucial

timeline preceding April 16, 2018. PW-1's structural admission that "there was no talk of dowry when relations soured" detaches the statutory presumption of dowry-centric cruelty required under law.

The compilation of these tables clarifies that the prosecution's case lacks a reliable link connecting the chemical cause of death (Aluminium Sulphide) to any criminal act by the accused, thereby necessitating a judgment of acquittal.

**Date:** May 27, 2026

**(Chandroday Kumar)**

Sessions Judge,  
Ambedkar Nagar (U.P.)