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29-01-2018	09-06-2026	8 Y, 4 M, 11 D
Date of Argument	Date of Judgment	Age
08-06-2026	09-06-2026	0 Y, 0 M, 1 D
Date of Judgment	Date of Uploading	Age
09-06-2026	09-06-2026	0 Y, 0 M, 0 D



UPAN010002922018

IN THE COURT OF THE SESSIONS JUDGE, AMBEDKAR NAGAR

Presiding Officer: Chandroday Kumar, H.J.S., JO Code: UP06553

SESSION TRIAL NO. 25 OF 2018 (Arising out of Case Crime No. 186 of 2017)

State of Uttar Pradesh ... Prosecution

Versus

Pawan Verma, Son of Late Ramsurat Verma, Resident of Village Kishunpur, Post Brahimpur Kusuma, Police Station Tanda, District Ambedkar Nagar ... Accused

Under Sections: 323, 308, 504 of the Indian Penal Code, 1860 (IPC).

Police Station: Tanda, District Ambedkar Nagar.

Appearance:

- For the State: Sri Govind Srivastav, Learned District Government Counsel (Criminal)
- For the Accused: Sri K. N. Upadhyay, Learned Defence Advocate

JUDGMENT

I. INTRODUCTION & PROSECUTION MATRIX

1. This sessions trial has been instituted following the submission of a charge-sheet by Police Station Tanda, District Ambedkar Nagar, against the accused Pawan Verma for committing offences punishable under Sections 323, 308, and 504 of the Indian Penal Code (IPC).
2. As the offence under Section 308 IPC falls exclusively within the triable domain of a Court of Session, the learned Chief Judicial Magistrate, Ambedkar Nagar, took cognisance on 17.01.2018. After complying with the statutory requirements of Section 207 of the Code of Criminal Procedure, 1973 (CrPC) by supplying the necessary copies of the police report to the accused, the case was formally committed to this Court vide order dated 18.01.2018 for trial.
3. The narrative of the prosecution, as unfurled by the written application/tehrir (Exhibit Ka-1) submitted by the informant/injured Rajesh Gupta (PW-1) on 20.10.2017 at 07:30 AM at Police Station Tanda, is structured as follows:
4. The Genesis (Incident of 19.10.2017): It is alleged that on 19.10.2017 at around 04:00 PM, the accused Pawan Verma, heavily under the influence of alcohol, arrived near the informant's residence. Without any provocation, he began hurling vile and obscene abuses at the informant and his family members. When challenged by local bystanders, the informant's nephew, Mohit Gupta (PW-2), dialled '100' to alert the police. Sensing danger, the accused fled the spot before the arrival of the police vehicle.
5. The Assault (Incident of 20.10.2017): Driven by animosity stemming from the previous day's incident, the next morning (20.10.2017) at around 06:00 AM, while the informant Rajesh Gupta was working in his paddy field, the accused intercepted him. The accused allegedly launched a brutal assault on the informant using a lathi (blunt wooden staff), dealing **several heavy blows**. The informant sustained **severe injuries to his head and legs, causing him to**

collapse and lose consciousness. Presuming the informant to be dead, the accused fled the crime scene.

6. Post-Incident Conduct: Upon regaining consciousness, the informant managed to return home, recounted the ordeal, and promptly proceeded to Police Station Tanda to lodge a written report.

II. INVESTIGATION AND CHARGE-SHEET

7. Based on the typed written report (Exhibit Ka-1), Case Crime No. 186 of 2017 was formally registered against the accused under Sections 323, 308, and 504 IPC. The registration was completed by the Chick FIR Writer, Constable Moharrir Surajkant Pandey (PW-6), via Chick FIR (Exhibit Ka-5) and General Diary (GD) Entry No. 11 on 20.10.2017 at 07:30 AM (Exhibit Ka-6).
8. The investigation was handed over to Sub-Inspector Santosh Kumar Giri (PW-5). During the course of the investigation, the Investigating Officer (IO) inspected the spots of both incidents, drafted the corresponding site plans (Exhibit Ka-2 and Exhibit Ka-3), recorded statements of the informant and eyewitnesses under Section 161 CrPC, collected medical examination records, and subsequently submitted Charge-sheet No. 01/2018 (Exhibit Ka-4) before the competent Magistrate.

III. CHARGES FRAMED AND PLEA OF THE ACCUSED

9. After evaluating the material contents of the case diary and hearing arguments from the learned District Government Counsel (DGC) (Criminal) and the learned defence counsel, this Court framed formal charges against the accused Pawan Verma under Sections 323, 308, and 504 of the IPC.
10. The charges were read over and explained to the accused in vernacular Hindi. The accused pleaded not guilty, denied all allegations, and demanded a full trial.

IV. STATEMENT OF THE ACCUSED UNDER SECTION 313 CRPC

11. Upon the completion of the prosecution evidence, the incriminating circumstances and evidence materialising on record were put to the accused under Section 313 CrPC.
12. The accused denied the prosecution narrative entirely, labelling it as a malicious fabrication. In his specific defence statement, he claimed that a financial dispute existed between him and the informant's family-owned rice mill. He contended that the informant's family owed him money for paddy grains they had purchased from him. When he demanded his outstanding dues, the informant's family turned hostile and cooked up this false case to usurp his money. He further pleaded that the informant had actually sustained injuries by accidentally falling from a bicycle on a rough road surface.

V. POINTS FOR DETERMINATION

13. To adjudicate upon the criminal liability of the accused, the following points for determination are framed:
 - 1) Whether the accused, on 19.10.2017 at about 04:00 PM, intentionally insulted the informant and his family with intent to provoke a breach of peace, thereby committing an offence under Section 504 IPC?
 - 2) Whether the accused, on 20.10.2017 at about 06:00 AM, voluntarily caused physical hurt to the informant Rajesh Gupta with a lathi, thereby committing an offence under Section 323 IPC?
 - 3) Whether the accused assaulted the informant on a vital organ (head) with such intention or knowledge, and under such circumstances, that if by that act he had caused death, he would be guilty of culpable homicide not amounting to murder, thereby committing an offence under Section 308 IPC?
 - 4) Whether the prosecution has proven its case beyond all reasonable doubt, or whether the defence version of a financial dispute and an accidental bicycle fall discredits the prosecution's narrative?

VI. EVIDENCE ADDUCED ON RECORD

A. Prosecution Evidence

14. The prosecution examined seven witnesses to establish its case:

PW-1 (Rajesh Gupta): Informant and injured victim.

PW-2 (Mohit Gupta): Nephew of the informant, who called the police on 19.10.2017 and claimed to be an eyewitness to the assault on 20.10.2017.

PW-3 (Praveen Kumar): Another nephew of the informant, who claimed to be cutting paddy nearby and witnessing the assault.

PW-4 (Vikas Verma @ Golu): An independent village witness who partially supported the prosecution in his examination-in-chief but turned completely hostile during cross-examination.

PW-5 (SI Santosh Kumar Giri): The Investigating Officer who prepared the site plans and submitted the charge-sheet.

PW-6 (SI Surajkant Pandey): The Constable Moharrir who registered the FIR and prepared the initial injury memo (majrubi chitthi).

PW-7 (Dr Brijesh Kumar Singh): The Medical Officer who examined the injured at CHC Tanda.

15. The prosecution also proved several documents, including the Written Complaint (Ex. Ka-1), Site Plans (Ex. Ka-2 and Ka-3), Charge-sheet (Ex. Ka-4), Check FIR (Ex. Ka-5), GD Entry (Ex. Ka-6), and Medical Examination Report (Ex. Ka-7).

B. Defence Evidence

The defence produced two oral witnesses:

16. DW-1 (Gopinath Verma): A local resident who testified that he saw the informant fall from a bicycle and that no assault occurred.

DW-2 (Virendra Verma): A neighboring witness who corroborated the bicycle accident and stated that the accused was falsely implicated due to a grain-purchasing payment dispute.

VII. APPRECIATION OF EVIDENCE

17. I have heard the learned counsels for rival parties and perused the record with due diligence. The determination of guilt or innocence in this case hinges upon a meticulous analysis of the testimonies of the injured witness, the alleged eyewitnesses, the medical records, and the viability of the defence plea.

18. **The Material Conflict and Timeline Anomaly between Ocular and Medical Evidence**

The bedrock of the prosecution's case is the assertion that the assault occurred exactly at 06:00 AM on 20.10.2017.

PW-1 (Rajesh Gupta) and his nephews PW-2 and PW-3 consistently maintain that the violent beating took place at 06:00 AM.

However, a severe and fundamental contradiction surfaces when this timeline is contrasted with the expert medical testimony of PW-7 (Dr Brijesh Kumar Singh).

PW-7 conducted the medical examination of Rajesh Gupta on 20.10.2017 at 08:10 PM. During his cross-examination, Dr Singh explicitly deposed that the injuries sustained by the patient were 6 to 8 hours old at the time of examination.

Mathematically and forensically, if the injuries were 6 to 8 hours old at 08:10 PM, the time of the incident is pushed back to between 12:10 PM and 02:10 PM on 20.10.2017. This is a stark discrepancy of over 6 to 8 hours from the alleged 06:00 AM time slot. The prosecution has offered absolutely no explanation to bridge this gaping void.

19. As held by the Hon'ble Supreme Court in [*Ram Narain Singh vs The State Of Punjab on 15 July, 1975: \(1975\) 4 SCC 497:*](#)

“Where the evidence of the witnesses for the prosecution is totally inconsistent with the medical evidence or the evidence of the

ballistic expert, this is a most fundamental defect in the prosecution case and unless reasonably explained it is sufficient to discredit entire case.” In other words, where the medical evidence completely misdirects and contradicts the ocular version regarding the time or manner of an incident, and the ocular evidence cannot be reconciled with the medical facts, it strikes at the root of the prosecution case, rendering the entire narrative suspect.

20. Severely Conflicting Accounts of Consciousness and Mode of Transportation

The oral testimonies of the primary prosecution witnesses display structural contradictions regarding what happened immediately after the alleged incident:

PW-1 (Rajesh Gupta) testified in his cross-examination that following the beating, he gained consciousness, mounted his own bicycle, and rode it back home by himself, taking about 15 minutes. He further states he rested at home for half an hour before going to the police station. This position was also affirmed by the IO (PW-5), who noted that under Section 161 CrPC, PW-1 stated he rode his bicycle home independently.

Contrarily, PW-2 (Mohit Gupta) and PW-3 (Praveen Kumar) swore under oath that they found PW-1 unconscious and bleeding. PW-3 explicitly stated that he wrapped his own gamcha (cloth) around his uncle's bleeding head and that they carried the unconscious uncle home on a bicycle.

These variations are not minor rural imperfections. If the victim was unconscious and had to be carried by two adults on a single bicycle, he could not have ridden the bicycle home independently. Medical evidence does not support unconsciousness. These contradictions show a concerted effort to manipulate the post-assault sequence of events.

21. Impeachment of Eyewitness Credibility under Section 162 CrPC

The status of PW-2 (Mohit Gupta) as an eyewitness to the second incident is completely dismantled by the admissions of the Investigating Officer, PW-5 (SI Santosh Kumar Giri).

During his cross-examination, PW-5 explicitly conceded that during his Section 161 CrPC statement, PW-2 (Mohit) stated that he did not see the incident of 20.10.2017; his initial statement was confined strictly to the verbal dispute of 19.10.2017.

The introduction of PW-2 as an active eyewitness who ran to the scene and saw the lathi blows represents a substantial improvement and an afterthought. Under the provisions of Section 162 of the CrPC read with Section 145 of the Indian Evidence Act, 1872, such a foundational contradiction completely destroys his reliability.

Similarly, PW-4 (Vikas Verma @ Golu), the only independent non-relative witness presented by the prosecution, turned entirely hostile. While he acknowledged that an argument took place over money, he explicitly testified that he never saw the accused beat the informant and that the injuries resulted from a bicycle accident. He admitted that the accused is his paternal uncle (chacha), which could explain his hostility. However, his testimony corroborates the existence of a prior financial dispute over unpaid grain purchases.

22. The Inflation of Injuries and Documentary Discrepancies

A review of the documentary trail reveals another systemic anomaly. PW-6 (SI Surajkant Pandey) registered the FIR at 07:30 AM on 20.10.2017. He prepared the majrubi chitthi (injury memo) and testified that he observed and recorded only two injuries on the body of Rajesh Gupta.

However, when the medical examination took place at CHC Tanda later that night, PW-7 (Dr Brijesh Kumar Singh) recorded a total of seven injuries. The prosecution provides no explanation as to how two external injuries observed at 07:30 AM multiplied into seven distinct injuries by 08:10 PM. This inflation raises legitimate

concerns about whether subsequent injuries were self-inflicted or added to exaggerate the gravity of the charge under Section 308 IPC.

23. Additionally, regarding the written complaint:

PW-1 stated he went to the station and got a typed complaint drafted.

PW-6 (the FIR writer) categorically stated that the complaint handed to him by the informant was handwritten (hastalikhit).

PW-3 claimed that his aunt (chaachi) was the one who submitted the report at the police station.

24. **Analysis of Defence Evidence and the Probable Alternative**

The defence has consistently maintained that the informant's family runs a local grain-purchasing network and a rice mill, which was confirmed by PW-2 and PW-3. The defence brought forward DW-1 (Gopinath Verma) and DW-2 (Virendra Verma), who testified that the informant lost balance and fell from his bicycle onto the road, resulting in a scalp laceration. PW-7 (the medical expert) explicitly conceded that the injuries found on the victim could easily be caused by falling on a hard floor or solid surface.

In criminal trials, while the prosecution must prove its case beyond all reasonable doubt, the defence is held only to the standard of a preponderance of probabilities. As established under para 33 in [*Subramaniam vs State of Tamil Nadu & Anr on 13 May, 2009: \(2009\) 14 SCC 415*](#), if the defence presents a highly probable alternative version that creates reasonable doubt about the prosecution's narrative, the benefit of that doubt must go to the accused. The combination of an established financial dispute, a major medical timing discrepancy, and the medical plausibility of a road fall makes the defence version a viable explanation.

VIII. FINDINGS ON POINTS FOR DETERMINATION

25. Point No. 1 (Section 504 IPC): Due to the shifting narratives of the family members and the lack of independent corroboration

regarding the incident on 19.10.2017, the charge under Section 504 IPC cannot be safely sustained. Moreover, verbatim accounts of abuses have not been given.

26. Points No. 2 & 3 (Sections 323 & 308 IPC): The substantial 6 to 8-hour contradiction between the medical timing and the ocular testimony, the exclusion of PW-2 as a credible eyewitness due to material omissions in his Section 161 statement, the internal conflict over whether the victim was conscious or unconscious, and the unexplained increase in the number of injuries from two to seven altogether undermine the prosecution's allegations. The elements required to prove an attempt to commit culpable homicide under Section 308 IPC or voluntary hurt under Section 323 IPC have not been established beyond a reasonable doubt.

27. Point No. 4 (Defence Version & Comprehensive Evaluation): The defence has successfully introduced a consistent and plausible alternative narrative regarding a financial dispute and an accidental road fall. This exposes structural weaknesses across the prosecution's case.

IX. CONCLUSION

28. It is a foundational rule of criminal law that a court's judgment cannot rely on suspicion, conjectures, or poorly corroborated family testimonies. The prosecution bears the unyielding burden of proving every element of the crime beyond a reasonable doubt. When the ocular narrative clashes with objective medical data, and when alleged eyewitnesses are shown to have introduced substantial improvements from their initial statements, the case fails to meet the required legal standard.

Consequently, the accused is fully entitled to the benefit of the doubt.

X. FINAL ORDER

The accused, Pawan Verma, is hereby ACQUITTED of all charges framed against him under Sections 323, 308, and 504 of the Indian Penal Code, 1860, on the ground of receiving the benefit of the doubt.

The accused is on bail. His bail bonds are discharged, and his personal bonds are cancelled accordingly.

The personal bonds and security documents submitted under Section 437-A of the CrPC shall remain functional for a period of six months from today to ensure appearance before the Hon'ble Appellate Court, if any statutory appeal is preferred by the State.

The material objects, if any, shall be disposed of in accordance with the law upon the expiration of the appeal period.

Judgment signed, dated, and pronounced in open court today.

Date: June 9, 2026

Place: Ambedkar Nagar, U.P.

(Chandroday Kumar)

Sessions Judge,

Ambedkar Nagar (U.P.)

JO Code: UP06553

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 No. 25 of 2018* are compiled below.

1. Case Overview & Trial Metadata

Parameter	Case Details & Chronology
Trial Court	Court of the Sessions Judge, Ambedkar Nagar, Uttar Pradesh
Presiding Judicial Officer	Chandroday Kumar, H.J.S. (JO Code: UP06553)

Parameter	Case Details & Chronology
Appearances	<ul style="list-style-type: none"> • For the State: Sri Govind Srivastav, Learned District Government Counsel (Criminal) • For the Accused: Sri K. N. Upadhyay, Learned Defence Advocate
Case Record Reference	Session Trial No. 25 of 2018 (Arising out of Case Crime No. 186 of 2017)
CNR / Unique ID Number	UPAN010002922018
Police Station & District	Police Station Tanda, District Ambedkar Nagar
Sections of Offence	Sections 323, 308, and 504 of the Indian Penal Code, 1860 (IPC)
Date of Institution	29-01-2018
Date of Oral Arguments	08-06-2026
Date of Final Judgment	09-06-2026
Total Trial Lifespan / Age	8 Years, 4 Months, 11 Days
Final Disposition	ACQUITTED (On the ground of receiving the Benefit of Doubt)

2. Master Table of Prosecution Oral Evidence (PWs)

Witness Code	Witness Name & Status	Core Substantive Testimony (In-Chief)	Material Admissions, Contradictions & Discrepancies (Cross-Examination)
PW-1	<p>Rajesh Gupta</p> <p><i>(Informant & Injured Victim)</i></p>	<ul style="list-style-type: none"> Deposed that on 19.10.2017 at 04:00 PM, the intoxicated accused hurled vile abuses at his family. Alleged that on 20.10.2017 at 06:00 AM, the accused intercepted him in his paddy field and brutally assaulted his head and legs with a <i>lathi</i>, knocking him unconscious. 	<ul style="list-style-type: none"> Asserted that post-assault, he regained consciousness and rode his own bicycle home independently (taking 15 mins), contradicting PW-2 & PW-3. Claimed his complaint was typed, directly contradicting the FIR writer (PW-6). Stated the assault was at 06:00 AM, which creates a massive 6-8 hour conflict with the medical timeline.
PW-2	<p>Mohit Gupta</p> <p><i>(Nephew of Informant)</i></p>	<ul style="list-style-type: none"> Claimed to have called '100' during the verbal row on 19.10.2017. Projected himself as an active eyewitness to the physical assault on 20.10.2017. 	<ul style="list-style-type: none"> Impeached under Sec 162 CrPC: The IO (PW-5) explicitly admitted that in his original Sec 161 statement, PW-2 stated he did not see the incident of 20.10.2017. His entire account of being an eyewitness was proved to be a subsequent improvement and afterthought.

Witness Code	Witness Name & Status	Core Substantive Testimony (In-Chief)	Material Admissions, Contradictions & Discrepancies (Cross-Examination)
		<ul style="list-style-type: none"> Claimed they found PW-1 unconscious and bleeding, and carried him home on a bicycle. 	
PW-3	<p>Praveen Kumar</p> <p><i>(Nephew of Informant)</i></p>	<ul style="list-style-type: none"> Claimed he was cutting paddy nearby and witnessed the <i>lathi</i> blows. Testified that he wrapped his own <i>gamcha</i> around PW-1's bleeding head and carried the unconscious victim home on a bicycle. 	<ul style="list-style-type: none"> Directly contradicted PW-1's stand that the victim rode home alone. Claimed his aunt (<i>chaachi</i>) submitted the complaint at the police station, contradicting both PW-1 and PW-6.
PW-4	<p>Vikas Verma @ Golu</p> <p><i>(Independent Village Witness)</i></p>	<ul style="list-style-type: none"> Supported the prosecution case partially in his examination-in-chief by mentioning a monetary row. 	<ul style="list-style-type: none"> Turned completely Hostile: Explicitly swore that he never saw the accused beat the informant. Disclosed that the victim's injuries were caused by a bicycle accident.

Witness Code	Witness Name & Status	Core Substantive Testimony (In-Chief)	Material Admissions, Contradictions & Discrepancies (Cross-Examination)
			<ul style="list-style-type: none"> Confirmed a prior financial dispute regarding grain purchases. (<i>Note: Witness is the nephew/paternal nephew of the accused.</i>)
PW-5	<p>SI Santosh Kumar Giri</p> <p>(<i>Investigating Officer</i>)</p>	<ul style="list-style-type: none"> Inspected the spots of both incidents, prepared site plans (Ex. Ka-2 & Ex. Ka-3), recorded statements under Sec 161 CrPC, and submitted the charge-sheet (Ex. Ka-4). 	<ul style="list-style-type: none"> Conceded that PW-2 (Mohit) had explicitly stated during investigations that he did not see the second incident. Confirmed that PW-1 originally stated under Sec 161 CrPC that he rode his bicycle home alone.
PW-6	<p>SI Surajkant Pandey</p> <p>(<i>Check FIR Writer</i>)</p>	<ul style="list-style-type: none"> Formally registered Case Crime No. 186 of 2017 on 20.10.2017 at 07:30 AM via Check FIR (Ex. Ka-5). Prepared the initial injury memo (<i>majrubi chitthi</i>). 	<ul style="list-style-type: none"> Categorically testified that he observed and recorded only two injuries on the body of Rajesh Gupta at 07:30 AM. Testified under oath that the complaint handed to him was handwritten (hastalikhit), directly dismantling PW-1's claim that it was typed.

Witness Code	Witness Name & Status	Core Substantive Testimony (In-Chief)	Material Admissions, Contradictions & Discrepancies (Cross-Examination)
PW-7	<p>Dr Brijesh Kumar Singh</p> <p>(Medical Officer, CHC Tanda)</p>	<ul style="list-style-type: none"> Medically examined the injured victim on 20.10.2017 at 08:10 PM and drafted the Medical Report (Ex. Ka-7). 	<ul style="list-style-type: none"> Forensic Time Conflict: Explicitly deposed that the injuries were 6 to 8 hours old at 08:10 PM, mathematically establishing the time of incident between 12:10 PM and 02:10 PM (contradicting the 06:00 AM ocular narrative). Conceded that all injuries could easily be caused by falling from a bicycle onto a hard/solid road surface.

3. Master Table of Prosecution Documentary Evidence (Exhibits)

Exhibit No.	Nature of Document	Proving Witness	Core Regulatory / Substantive Content & Discrepancies
Ex. Ka-1	Written Complaint / <i>Tehrir</i>	PW-1	Initiated the FIR mechanism. Suffers from structural contradictions regarding its physical form (PW-1 claims it was typed; PW-6 confirms it was handwritten).
Ex. Ka-2	Site Plan (First Spot)	PW-5	Maps out the residential scene of the alleged verbal abuse and insult on 19.10.2017.
Ex. Ka-3	Site Plan (Second Spot)	PW-5	Maps out the paddy field of the alleged <i>lathi</i> assault on 20.10.2017.

Exhibit No.	Nature of Document	Proving Witness	Core Regulatory / Substantive Content & Discrepancies
Ex. Ka-4	Charge-sheet No. 01/2018	PW-5	Final police report under Section 173 CrPC prosecuting Pawan Verma under Sections 323, 308, 504 IPC.
Ex. Ka-5	Check FIR	PW-6	Formal document registering Case Crime No. 186 of 2017 on 20.10.2017 at 07:30 AM.
Ex. Ka-6	General Diary (GD) Entry	PW-6	GD Entry No. 11 recording the initiation of criminal proceedings against the accused.
Ex. Ka-7	Medical Examination Report	PW-7	Records seven distinct bodily injuries . It introduces a lethal timing conflict (injuries were 6-8 hours old at 08:10 PM) and shows an unexplained inflation of injuries from the initial two recorded at 07:30 AM.

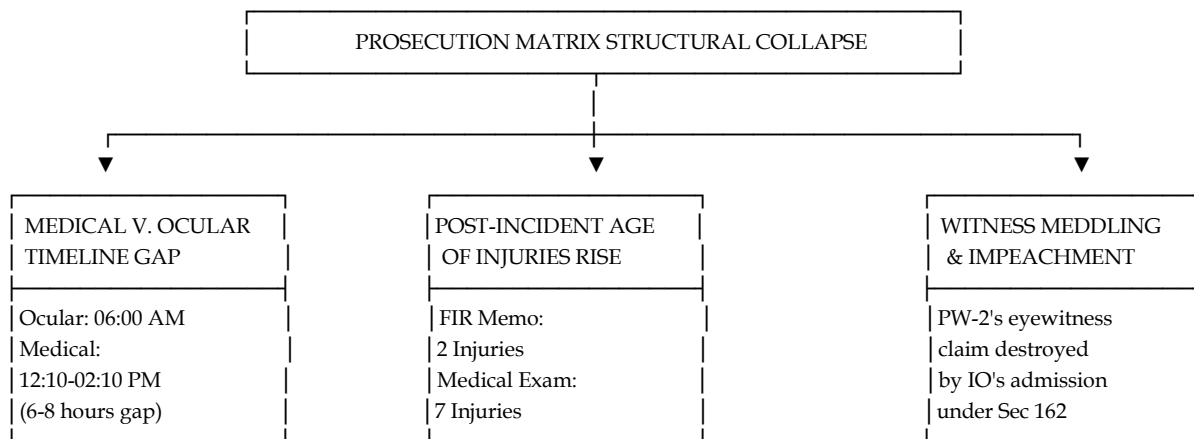
4. Master Table of Defence Evidence (Oral)

Witness Code	Witness Name & Status	Core Substantive Exculpatory Testimony
DW-1	Gopinath Verma (Local Resident)	<ul style="list-style-type: none"> Deposed as an eyewitness to the alternative occurrence. Swore that he personally saw the informant lose his balance and accidentally fall from his bicycle onto a rough road surface, causing the scalp laceration. He stated no assault occurred.
DW-2	Virendra Verma	<ul style="list-style-type: none"> Fully corroborated the accidental bicycle fall narrative of DW-1.

Witness Code	Witness Name & Status	Core Substantive Exculpatory Testimony
	(Neighbouring Witness)	<ul style="list-style-type: none"> Proved the core motive for false implication: established that the informant's family-owned rice mill owed outstanding money to the accused for paddy grain purchases, and cooked up this case to usurp those dues.

5. Comprehensive Matrix of Critical Evidentiary Gaps & Structural Conflicts

The absolute failure of the prosecution matrix is mapped below through the unresolvable structural conflicts identified by the Sessions Court, resulting in the acquittal of the accused:



S.No.	Evidentiary Dimension	Prosecution Assertions	Contradicting / Objective Evidence on Record	Legal Impact & Judicial Finding
1	The Chronological / Timeline Anomaly	The violent assault occurred precisely at 06:00 AM on 20.10.2017 (PW-1, PW-2, PW-3).	The medical expert (PW-7) swore that during the examination at 08:10 PM, the injuries were only 6 to 8 hours old , placing the	Fatal Defect: Strikes at the root of the case. As per Ram Narain Singh vs State of Punjab (1975) , an unbridled clash between

S.No.	Evidentiary Dimension	Prosecution Assertions	Contradicting / Objective Evidence on Record	Legal Impact & Judicial Finding
			incident between 12:10 PM and 02:10 PM .	ocular and medical versions discredits the entire prosecution matrix.
2	Post-Incident Mobility & Consciousness	PW-1 claimed he regained consciousness and rode his own bicycle home alone for 15 minutes.	PW-2 and PW-3 swore under oath that they found PW-1 unconscious and physically carried him home on a single bicycle.	Internal Breakdown: These are not rural imperfections but a fabricated post-assault narrative showing deliberate manipulation.
3	Eyewitness Status Impeachment	PW-2 projected himself as an active eyewitness who ran to the spot and saw the <i>lathi</i> blows.	The IO (PW-5) conceded that in his Sec 161 statement, PW-2 explicitly said he did not see the incident of 20.10.2017.	Testimonial Rejection: Under Sec 162 CrPC r/w Sec 145 Evidence Act, his testimony is reduced to a material improvement and an afterthought.

S.No.	Evidentiary Dimension	Prosecution Assertions	Contradicting / Objective Evidence on Record	Legal Impact & Judicial Finding
4	Unexplained Multiplication of Injuries	The informant suffered a standard, continuous beating by one individual.	The Check FIR Writer (PW-6) recorded two injuries at 07:30 AM, which mysteriously multiplied into seven injuries by 08:10 PM (PW-7).	Exaggeration / Inflation: Raises a strong probability of self-inflicted or subsequent injuries added to over-inflate charges under Section 308 IPC.
5	The Probable Alternative (Standard of Proof)	Denied any prior financial dispute or business interactions with the accused.	PW-4 (hostile), DW-1, and DW-2 established a grain-purchasing debt. PW-7 admitted the head injury was fully consistent with a road fall.	Defence Standard Satisfied: Under Subramaniam vs State of Tamil Nadu (2009) , the defence established its version on a <i>preponderance of probabilities</i> , securing a legitimate benefit of doubt for full acquittal.

Date: June 9, 2026

(Chandroday Kumar)

Sessions Judge, Ambedkar Nagar (U.P.)