

ITEM NO.10

COURT NO.12

SECTION II

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

Petition(s) for Special Leave to Appeal (Crl.) Dy.23115/2025

[Arising out of impugned final judgment and order dated 25-10-2024 in CRA No. 319/2021 passed by the High Court of Judicature at Allahabad]

BRIJESH SINGH**Petitioner(s)****VERSUS****STATE OF U.P. & ORS.****Respondent(s)****IA No. 140645/2025 - CONDONATION OF DELAY IN FILING****IA No. 140646/2025 - EXEMPTION FROM FILING O.T.**

Date : 18-06-2025 This matter was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SANDEEP MEHTA
 HON'BLE MR. JUSTICE PRASANNA B. VARALE
 (PARTIAL COURT WORKING DAYS BENCH)**

**For Petitioner(s) :Mrs. Sonia Mathur, Sr. Adv.
 Mr. Uday Prakash Yadav, Adv.
 Mr. Yogendra Singh, Adv.
 Mr. Sudhakar Dwivedi, Adv.
 Ms. Subhi Bhardwaj, Adv.
 Ms. Sneha Singh, Adv.
 Mr. Ramjee Pandey, AOR**

For Respondent(s) :

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

1. Delay condoned.
2. This special leave petition has been preferred by the petitioner-complainant being aggrieved of the judgment dated 25th October, 2024 rendered by the High Court of Judicature at Allahabad dismissing the Criminal Appeal U/S 372 Cr.P.C. No. 319 of 2021 preferred by the

petitioner for assailing the judgment dated 14th August, 2014 passed by the learned Additional Sessions Judge, Court No. 2, Ghaziabad in Sessions Trial No. 2125 of 2012 arising out of Case Crime No. 2251 of 2010 acquitting respondent nos. 2 to 6 from the charges for the offences punishable under Sections 302/149, 304B, 498A of the Indian Penal Code, 1860 and Section 3/4 of the Dowry Prohibition Act, 1961.

We have heard and considered the submissions advanced by Ms. Sonia Mathur, learned senior counsel representing the petitioner-complainant and have gone through the impugned judgment and the material placed on record.

From a perusal of the evidence available on record, it is clear that the deceased, Smt. Suchita Singh, being the sister of the petitioner-complainant was married to respondent no. 2 i.e., Ajit Singh on 12th December, 2008 as per Hindu rites and ceremonies. Smt. Suchita ended her life by hanging herself in the matrimonial home on 5th October, 2010. Indisputably, the respondent No. 2 being the husband of the deceased immediately informed the maternal relatives regarding the unfortunate incident. The complainant (PW-1) and his father (PW-2) reached the matrimonial home of the deceased and the inquest proceedings were carried out in their presence. The father of the

deceased was serving as a Deputy Superintendent of Police whereas the petitioner-complainant is a highly qualified person. None of the family members raised any objection/suspicion regarding the death of Smt. Suchita at the time of preparation of the inquest proceedings and the dead body of Smt. Suchita was cremated in their presence. The FIR came to be filed after 4 days of the incident, i.e., on 9th October, 2010. The Courts below held that the delay indicated that the story set out in the report was nothing but an after-thought.

The trial Court, after thorough appreciation of evidence proceeded to acquit the respondent nos. 2 to 6 of the charges by a detailed judgment dated 14th August, 2014. The High Court in the criminal appeal under Section 372 CrPC reappreciated the entire evidence and upheld the findings of the trial Court and affirmed the respondents' acquittal by judgment dated 25th October, 2024.

We have carefully gone through the record and are of the opinion that the concurrent findings recorded by the Courts below in acquitting the respondents do not suffer from any infirmity or perversity.

Law is well settled that interference in an appeal against acquittal should be made only if the view taken by the Court/s below is perverse or if no two views are possible and the only logical

conclusion from the evidence is to record the guilt of the accused. In the present case, we do not find that any view other than that taken by the trial Court and affirmed by the High Court acquitting the respondents of the charges is permissible.

Hence, we are not inclined to entertain this special leave petition preferred on behalf of the petitioner-complainant. The same is hereby dismissed as being devoid of merit.

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

(INDU MARWAH)
AR-CUM-PS

(SAPNA BANSAL)
COURT MASTER(NSH)