IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CrlA(D) No. 16/2024

Reserved on: 30.10.2026
Pronounced on: 13.11.2026
Uploaded on: 13.11.2026
Whether the operative part or full judgment is pronounced? *FULL*

Sanju,

…Petitioner(s)/Appellant(s)

Through: Ms Surinder Kour, Sr. Adv. with Ms Manpreet Kour, Adv.

Vs.

1. **Union Territory of J&K**
   Through SHO Police Station Rehmbal
   District Udhampur.
2. **Jail Superintendent,**
   District Jail, Udhampur.

...Respondent(s)

Through: Mr. Raman Sharma, Sr. Adv. with
Mr. Kartikay Sharma, Adv. & Ms Saliqa Sheikh, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE
HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE

J U D G M E N T

SHAHZAD AZEEM-J

1. This appeal is directed against the judgment of conviction and order of sentence dated 16.04.2024 and 25.04.2024 passed by the learned Additional Sessions Judge, Udhampur (the trial court) in the Challan titled *State vs.* arising out of FIR No. 50/2017 registered at Police Station Rehmbal for commission of offences under Section 376 and 342 of the

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Ranbir Penal Code (RPC), whereby the appellant was held guilty and convicted for the said offences and sentenced to undergo rigorous imprisonment for a period of 14 years and a fine of ₹ 1.00 lac for the offence under Section 376 RPC, and further imprisonment of one year for the offence under Section 342 RPC.

Brief case of the prosecution:

2. On 23.04.2017 at about 4:25 pm, PW-3, father of the prosecutrix) along with the prosecutrix approached the Police Station Rehmbal, District Udhampur and lodged a written complaint, upon which FIR No. 50/2017 was registered for offences under Section 376 and 342 of the RPC.

3. The Prosecution story is that the prosecutrix, (PW-1) then aged 8 years, had gone to the house of Sanju (the Appellant), who is the Uncle/Chachu of the prosecutrix and resides in the neighbourhood, to play hide-and-seek with the children of the house, namely [redacted]. While playing, the accused took the prosecutrix into a Kacha room (Tin-shed store) of the house, closed the door, made her lie on the floor, removed her lower garments, and committed rape upon her, causing severe pain and bleeding. The prosecutrix came out of the room crying, with her clothes stained with blood, and returned home. the accused followed her and poured 2-3 jugs of water over her, stating that she was feeling hot. Upon enquiry by PW-2 (mother of the prosecutrix), the prosecutrix narrated the entire occurrence of forcible sexual assault by the accused, who in turn informed PW-3. Neighbours were called, and the prosecutrix was driven to the Police Station in a vehicle by PW-4 where the FIR was registered, and thereafter she was taken to

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District Hospital, Udhampur for medical examination and treatment. Two stitches were put by the doctor. Blood-stained clothes, blood samples, hair samples, blood stained soil and plain soil were seized. Upon presentation of the Challan, the accused pleaded innocence and was committed for trial on the charges of offences punishable under Section 376 and 342 of the RPC.

Trial Court Findings:

4. The trial court held that the statement of the prosecutrix was consistent, reliable and inspired confidence. It remained unrebutted even after the detailed cross-examination and was in conformity with her statement recorded under Section 164-A of Criminal Procedure Code (the Code).

5. The trial court also relied upon the medical evidence of PW-14 Dr. Sanjay Verma, (Gynecologist), and found that the allegations of sexual assault were fully corroborated. The statements of PW-2 and PW-3 corroborated the immediate disclosure, the condition of the prosecutrix who at the relevant time was found bleeding and crying, and subsequent steps taken.

6. The trial court also dealt with the discrepancies and treated the same as insignificant. Finally, the trial court vide impugned order dated 25.04.2024 sentenced the convict to rigorous imprisonment for 14 years and a fine of ₹ 1.00 lakh for the offence under Section 376 RPC and imprisonment for one year for the offence under Section 342 RPC.

Grounds of Challenge and Submissions:

7. The appellant has challenged the judgment of conviction and order of sentence on the following grounds as set out in the memo of appeal, in addition to the submissions made by learned counsel for the appellant:

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(i) The trial court has failed to appreciate the evidence in accordance with the requirement that the prosecution must prove the guilt beyond reasonable doubt; on a proper and legal appraisal, the appellant could not have been held guilty for commission of offences under Section 376 and 342 RPC.

(ii) The trial court acted on a superficial reading of the evidence, misappreciated the same, and failed to appreciate the facts and circumstances, thereby committed grave error.

(iii) The prosecution story is ridden with material contradictions and discrepancies, indicating false implication of the appellant on account of a land dispute between the families.

(iv) The judgment proceeds on the presumption and preconceived mind; there is no proper individual appraisal of the statements of the witnesses or construction of approved facts leading to the conclusion of guilt. In absence of motive and in the face of inherent contradictions, the conviction is illegal; even the offence under Section 342 RPC is not made out from the prosecution evidence.

(v) The medical evidence has not been properly appreciated; the conviction rests on conjuncture and is not based on legal evidence; important witnesses have not supported the prosecution case, reflecting false implication of the appellant.

8. In addition to the grounds set out in the Memorandum of Appeal, the learned counsel for the appellant has questioned the legality of the impugned judgment and sentence on the following specific aspects: -

(i) The statement of the prosecutrix under Section 164-A of Code was recorded after about 14 days of the occurrence, and those of the parents, even later, i.e., after 23-24 days of the alleged occurrence. However, no satisfactory explanation for this delay was offered by the prosecution; such delay casts serious doubt on the reliability of the prosecution version.

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(ii) There are inconsistencies regarding the persons who first arrived or were present at the house of the victim immediately after the occurrence. Different witnesses have given varying accounts of who was present when the prosecutrix returned home crying and bleeding.

(iii) The accounts of who accompanied the prosecutrix to the police station and thereafter to the hospital are not uniform. While some witnesses speak of the parents (PW-2 and PW-3) and (PW-4), the precise composition of the party and the sequence vary.

(iv) Though the prosecutrix stated to have raised a hue and cry, yet no hue and cry raised by the prosecutrix was heard by anyone, including the children with whom she was playing, or the family members of the accused's household or the mother of the prosecutrix.

(v) The probative value of the medical examination is questioned, and it is submitted that the medical evidence itself does not conclusively establish commission of the offence of rape by the appellant. The doctor admitted that the hymen can be torn by playing or cycling, and that a vaginal tear could possibly result from accidental sitting on a wooden log or a metal rod. At the same time, no spermatozoa were found, and there were no external injuries or marks of violence, which would be expected in a case of forcible rape of a child of eight years.

9. While concluding, the learned counsel also submitted that the entire case is based on the solitary, belated, and uncorroborated version of the prosecutrix, which is unreliable in the face of the above circumstances.

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10. *Ex-adverso,* while defending the impugned judgment and sentence, Mr. Raman Sharma, learned senior counsel contended that once it is found that the testimony of the prosecutrix is of sterling quality, which is duly corroborated by the medical evidence, minor discrepancies here and there, including delayed recording of the statements of witnesses by the Investigating Officer, do not shake the credibility of the prosecution story, and thus no fault much less illegality, can be found in the reasoning given by the trial court while passing the judgment under challenge.

Analysis:

11. The prosecution case rests primarily on the testimony of the child prosecutrix, her immediate disclosure to the mother, the condition in which she was found, i.e., bleeding, blood-stained cloth, prompt lodging of the FIR on the same day, and the medical opinion of recent sexual intercourse. The trial court has accepted this version after holding that the prosecutrix withstood cross-examination and that the medical evidence corroborates the fact of sexual assault.

12. It is well settled that the solitary testimony of a prosecutrix, if found reliable and trustworthy, can form the basis of conviction in a rape case, and corroboration is not a rule of law but a matter of prudence. The testimony of a victim of sexual assault is entitled to great weight, and refusal to act upon it in the absence of corroboration would amount to adding insult to injury. Where the statement of the prosecutrix is consistent, inspires confidence, and is corroborated by medical evidence of recent sexual intercourse, conviction can be sustained without corroboration.

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13. **PW-1** (prosecutrix) was consistent in deposing that she was taken into the Kacha room, door was closed, the penis was inserted into her private part causing pain and bleeding, white liquid falling on her, water thrown by the accused, narration of the occurrence to the mother. She remained firm in cross-examination, and despite her tender age, she denied the suggestions of land dispute or being tutored.

14. **PW-2,** deposed that she saw prosecutrix crying with blood-stained clothes, while the accused was following and throwing water on her on the pretext that she is feeling hot. It has specifically come in her testimony that the prosecutrix narrated the occurrence to her, and she accordingly shared with her husband.

15. **PW-3** deposed that regarding occurrence, he was informed by his wife, found blood on clothes of prosecutrix; FIR was lodged; medical treatment was got done; seizures of clothes and blood sample were made and this witness also denied the suggestion regarding the land dispute.

16. **PW-4** (Ajay Kumar) was consistent in deposing that he took his uncle, aunt and the prosecutrix in his vehicle, first to police station, Rehmbal, and thereafter to the District Hospital, Udhampur.

17. **PW-14** (Dr. Sanjay Verma, Gynecologist) who conducted the medical examination of the prosecutrix, deposed that in view of the histopathological examination of the vaginal smear and clinical findings, he was of the opinion that the prosecutrix had sexual intercourse within 12 hours of the examination. On local examination, the findings recorded by the doctor are as under: -

1. Posterior Fourchette and Hymen torn
2. Ist degree vaginal wall tear which was stitched.

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3. Bleeding per vaginum +++.
4. Vaginal smear taken and sent for Histopathological examination.
5. No other visible injury noticed on the person.

18. During the trial, the witnesses identified *inter alia* the blood-stained clothes of the prosecutrix, and testified the seizure memo of blood samples of the prosecutrix.

19. The consistent prosecution version is that the prosecutrix was first taken to the Police Station for registration of the FIR and thereafter to the District Hospital, Udhampur for medical treatment.

20. PW-3 categorically stated that they did not go to the hospital before going to the Police Station, where they reached around 3.30 to 4.00 p.m, the application was written, FIR was registered and only thereafter they proceeded to the hospital in the evening.

21. **PW-4** who drove the vehicle, confirmed that he took his family first to the police station and thereafter to the hospital.

22. **PW-8**, ASI-Angrez Singh, who took the prosecutrix from her home for medical examination stated that they reached the hospital around 5:00 to 6:00 p.m. The initial written complaint itself was moved at the police station, upon which the FIR was registered.

23. The trial court, while dealing with the defence challenge to this sequence, held the conduct of the parents to be natural in the given circumstances. Aligning with the core of the prosecution case, immediately after occurrence, the child returned home crying and bleeding with stained clothes; the parents were in a state of shock, who called neighbours, and first approached the police station before taking her to hospital for treatment.

24. Since this aspect has been considered by us in the wake of an argument that there is a discrepancy as to the sequence, whether, after the

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occurrence, the prosecutrix was taken first to the police station or to the hospital. Therefore, the sequence of the evidence recorded during the trial aligns with the prosecution story that the prosecutrix was first taken to the police station for registration of the FIR and thereafter to the hospital for medical examination. As such, the trial court rightly rejected the defence version that there is any material discrepancy in the sequence of events on this aspect of the matter.

25. Statements of the prosecutrix and her parents were recorded during investigation with some delay; the statement of the prosecutrix was recorded after 14 days and that of her parents after 23-24 days. However, the Investigating Officers tendered the following explanations:

(i) **PW-18** (Inspector Vishal Manhas, I.O) deposed that he was busy in arresting the accused and, due to this reason, could not get the statement of the prosecutrix and her parents recorded before the Magistrate. Thus, the I.O. explained the omission on account of being occupied with the arrest and other investigation steps.

(ii) **PW-19** (Sanjay Raina, I.O) deposed that he was busy in other works and, for this reason, could not get the statements of the victim and her parents recorded. Thus, he confirmed that recording the statement was important but cited his pre-occupation with other duties.

(iii) **PW-20** (Sohan Singh, I.O) got the statements of the prosecutrix, her mother and other witnesses recorded. He stated that earlier I.O's had not recorded the statement sof the prosecutrix and her mother and that the file indicated

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that the prosecutrix was not fit for statement at the relevant time, though this was not specifically recorded by the earlier Investigating Officers.

26. Thus, the Investigating Officers have properly explained the delay in recording the statement of the victim and her parents during investigation. The explanations offered are plausible and consistent with the ordinary course of investigation, particularly in a case involving arrest of the accused and other urgent steps. The delay, therefore, does not by itself, cast any doubt on the credibility of the prosecution version.

27. It is worth noting that the quality of the testimony of the prosecutrix can be gauged from the fact that through cross-examination, the credibility of her testimony was sought to be impeached by putting the suggestion that the occurrence is the outcome of a land dispute, and further that she has been tutored by her parents to give false statements. Despite her tender age, she withstood the cross-examination and specifically denied the suggestions. Therefore, the statement of the prosecutrix inspires confidence and satisfies the test of sterling quality.

28. The age of the prosecutrix is a material circumstance. A child of tender age is ordinarily incapable of fabricating a detailed and consistent account of sexual assault unless an incident has in fact occurred. The very nature of the disclosure, when made by a minor, carries inherent reliability if it is free from contradictions on essential points.

29. The medical report further fortifies the prosecution version. The findings of the medical examination are consistent with the allegations made by the prosecutrix. Where the medical evidence supports the occurrence of sexual assault and does not contradict the version of the victim, it constitutes

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strong corroborative material. The combination of a sterling statement by a child victim and supporting medical evidence leaves little room for doubt regarding the occurrence of the incident.

30. Since the trial court primarily had taken into consideration the testimony of the prosecutrix and the doctor who examined her, which is further supported from the immediate acts forming part of the same transaction in the shape of testimonies of PW-1, PW-2, PW-3 and PW-4, it is deemed necessary to have another closer look at the testimonies of these witnesses, because if same is found of sterling quality, then we need not to look into any other evidence.

31. The core of the prosecutrix's statement in the court, when she entered the witness box, was that on 23-04-2017, she was playing hide-and-seek with [redacted] at their house. The accused present in the court is her uncle (Chachu), whom she called Sanju Sanju held her hand and took her to one Kachi Kothi and he closed the door. He opened his urinal part (penis) and inserted it into her urinal part. She came home while crying. Sanju also came after her and he threw 2-3 jugs of water from the drum over her, saying that she was feeling hot. Blood was oozing out from her urinal part. She sat on the bed but blood continued to ooz out. When her mother inquired from her about the cause of bleeding, she narrated everything regarding the occurrence to her mother.

32. In cross-examination, she further particularized the sequence without deviation and deposed that when taken inside the Kaccha room, [redacted] were searching for her. There was no bed and the floor was of soil. She was laid on the floor. The accused removed her yellow-coloured Pajama. Penetration continued for sometime, after which a white coloured

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liquid emanated from the accused and fell upon her. There is no land dispute with her father. The prosecutrix specifically denied the defence suggestions that she fell on a trunk while playing and was asked by her parents to give a false statement, or that any land dispute existed.

33. A striking feature of the prosecutrix's evidence is the manner in which she identified the accused. Though in her deposition she referred to him as **"Sanju Chachu",** this is not the language of a tutored or hostile child harbouring personal ill will. A child of tender age, when describing a neighbour whom she knows as an uncle with whose children she was playing, would naturally use the familial appellation. The absence of any venom, exaggeration or attempt to blacken the accused beyond specific act, and her categorical denial of any land dispute or tutoring, reinforces that her testimony is not the product of personal animus or parental coaching. The trial court rightly observed that even after detailed examination, nothing emerged to cast doubt upon the testimony of the prosecutrix on this aspect.

34. The quality of her recollection is that of photographic memory. She remembered:

(i) The exact game i.e., hide-and-seek and the names of the children that is [redacted] and [redacted];

(ii) The nature of the room, i.e., Kachi Kothi/Kacha Room, soil floor, absence of bed, and adjacent rooms;

(iii) The precise sequence i.e., holding of hand, closing of door, removal of yellow Pajama, insertion, pain, bleeding, white liquid;

(iv) The subsequent conduct of the accused i.e., following her and throwing two jugs of water while saying she was feeling hot;

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(v) Her own clothing i.e., Yellow Pajama and pink frock, and the fact that clothes were not torn.

35. These minute, consistent details given by a child witness after a considerable time from the occurrence demonstrate that the occurrence was firmly imprinted in her memory and was not reconstructed or improved upon. The trial court held that her statement inspired confidence precisely because of this consistency and the absence of any material contradiction.

36. The testimony of the prosecutrix is further corroborated in all material particulars by PW-2, PW-3, PW-4 and the doctor who examined the prosecutrix.

37. PW-2, corroborated the immediate aftermath in full particulars. The statement of PW-2 was in conformity with her earlier statement recorded under Section 164-A of the Code.

38. PW-3, corroborated that he was informed by his wife of the rape and further deposed that he saw blood-stained clothes; took the child first to the police station and then to the hospital; identified seized clothes and blood samples. PW-3 also specifically denied the defence suggestion regarding the land dispute with the accused.

39. PW-4 (Ajay Kumar) further corroborated the post occurrence conduct and deposed in tune with the prosecution story of taking the family to the police station and thereafter to the hospital, and the seizures made at the spot and at the hospital.

40. PW-14 Dr Sanjay Verma, (Gynecologist) also provided strong medical corroboration. He examined the prosecutrix at 6:00 p.m on the same day and found that the posterior Fourchette and hymen were torn; 1st degree vaginal wall tear which was stitched; bleeding per vaginum.

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41. In view of histopathological examination of the vaginal smear and clinical findings, the doctor opined that the prosecutrix had sexual intercourse within 12 hours of the examination. The injuries were consistent with penetration. This medical evidence independently confirms the core of the prosecutrix's account of penetration and resulting trauma. Thus, the prosecutrix's testimony is not solitary, rather it is reinforced by the immediate narration to the mother, the parents' consistent accounts, the independent witness on the sequence of events and the contemporaneous medical findings.

42. The statement of the prosecutrix is the foundation of the prosecution case in offences of sexual assault. It is well settled that testimony of a prosecutrix, if of sterling quality, can form the sole basis of conviction and does not require independent corroboration in every case. A prosecutrix is not an accomplice, but she is a victim of a crime. Her evidence stands on a higher pedestal than that of an ordinary witness, particularly when the victim is a child.

43. Earlier the law regarding the weight to be given to the testimony of the prosecutrix was that she cannot be put on par with an accomplice, but her evidence has to be received with the same weight as is attached to an injured witness in cases of physical violence. In this regard, a reference can be made to a judgment of Hon'ble Supreme Court in **State of Maharashtra vs. Chandraprakash Kewalchand Jain (1990) 1 SCC 550.** However, over the period of time, the law regarding the weightage to be given to the testimony of the prosecutrix has undergone a sea-change and now the consistent approach of the Courts is that conviction can be founded on the testimony of the prosecutrix alone unless there are compelling reasons for seeking

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corroboration. The evidence of a prosecutrix is more reliable than that of an injured witness. A reference in this regard can be made to the judgment of the Hon'ble Supreme Court in **Rai Sandeep alias Deepu vs. State (NCT of Delhi) (2012) 8 SCC 21**. In paragraph 27 of the judgment held as follows: -

> 27. In the decision reported as *State of H.P.* v. *Asha Ram* [(2005) 13 SCC 766 : (2006) 2 SCC (Cri) 296 : AIR 2006 SC 381] this Court highlighted the importance to be given to the testimony of the prosecutrix as under in para 5: (SCC p. 770)
>
> "*5*. … It is now a well-settled principle of law that conviction can be founded on the testimony of the prosecutrix alone unless there are compelling reasons for seeking corroboration. The evidence of a prosecutrix is more reliable than that of an injured witness. The testimony of the victim of sexual assault is vital, unless there are compelling reasons which necessitate looking for corroboration of her statement, the courts should find no difficulty in acting on the testimony of a victim of sexual assault alone to convict an accused *where her testimony inspires confidence and is found to be reliable*. It is also a well-settled principle of law that corroboration as a condition for judicial reliance on the testimony of the prosecutrix is not a requirement of law but a guidance of prudence under the given circumstances. The evidence of the prosecutrix is more reliable than that of an injured witness. *Even minor contradictions or insignificant discrepancies in the statement of the prosecutrix should not be a ground for throwing out an otherwise reliable prosecution case*."

44. At the same time, minor and immaterial inconsistencies and discrepancies shall not harm the case of the prosecution, if the core of the

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prosecution story remains consistent, particularly when it finds support from the medical evidence. This is the consistent approach adopted while appreciating the evidence, and if it is found that there is no contradiction and the core of the prosecution story is proved, then minor consistencies here and there are irrelevant. The Hon'ble Supreme Court in this regard in **Firoz Khan Akbarkhan vs. State of Maharashtra 2025 SCC Online SC 627** dealt with the minor inconsistencies and delay in recording the statement of the witnesses during investigation and held that parrot-like statements are dis-favoured by the courts. In the said judgment, the Hon'ble Supreme Court held that the delay of over two years in recording witness statements was deemed not fatal, when explained properly. It is further held that, *stricto sinsu,* delay in recording witness statement, when the said delay is explained, will not aid an accused. Therefore, we are of the opinion that the delay was properly explained by the Investigating Officer and thus, the plea raised by the appellant on this account is turned down.

45. In the case in hand, the core of prosecution story regarding ingredients of offences under Section 376 and 342 of the RPC is proved beyond doubt, and further the Investigating Officers have also explained the delay in recording the statements of the witnesses during investigation. Therefore, if at all there is any discrepancy, it is, of course, always there in the natural course of human conduct, and the case of the prosecution thus cannot be thrown out.

46. We are also fortified in our view by the judgment of the Hon'ble Supreme Court in **State of Himachal Pradesh vs. Sanjay Kumar alias Sunny (2017) 2 SCC 51,** which was a case of a victim of rape aged 9 years by none other than her uncle, accused of such a horrendous act. It was held

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that the evidence of a child victim of tender age, such as 9 years in a sexual offence case, is entitled to full weight if it inspires confidence after careful scrutiny. Corroboration is not necessary as a rule. Courts should not view the testimony of the victim with suspicion or require corroboration except where there are compelling reasons. Sensitivity must be shown in dealing with such cases, particularly those involving acquaintance or incestuous abuse, where delayed disclosure is common due to social stigma, fear and threats. It is further specifically made clear that the prosecutrix stands at a higher pedestal than an injured witness, and it was observed that:

> *"Why should the evidence of the girl or the woman who complains of rape or sexual molestation be viewed with the aid of spectacles fitted with lenses tinged with doubt, disbelief or suspicion? The plea about the lack of corroboration has no substance."*

47. In the given facts and circumstances, we are guided by the observations of the Hon'ble Supreme Court in the locus classicus judgment of **State of Madhya Pradesh Vs. Balveer Singh (2025) 8 SCC 545** particularly at paragraph 67.11, which are relevant and need to be taken note of. The said paragraph reads thus:

> 67.11. Merely because a child witness is found to be repeating certain parts of what somebody asked her to say is no reason to discard her testimony as tutored, if it is found that what is in substance being deposed by the child witness is something that he or she had actually witnessed. It added that a child witness who has withstood his or her cross-examination at length and able to describe the scenario implicating the accused in detail as the author of crime, then minor discrepancies or parts

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of coached deposition that have crept in will not by itself affect the credibility of such child witness.

Findings and conclusion:

48. On a careful and cumulative appraisal of the entire evidence on record, read in the light of the settled principles governing appreciation of the testimony of a child victim of sexual assault, we find that the prosecution has established the guilt of the appellant beyond reasonable doubt. The statement of the prosecutrix, a child of tender age, is of sterling quality. She has given a coherent, natural and consistent account of the occurrence, free from material embellishment or tutoring, and has withstood the test of cross-examination. Her version regarding the identity of the accused, the place and manner of the assault, the immediate aftermath, and the subsequent disclosure stands corroborated by the consistent testimonies of her parents i.e. PW-2 and PW-3, the independent witness who accompanied them i.e. PW-4, and most importantly, by the contemporaneous medical evidence which records a torn hymen, 1st degree vaginal tear, and bleeding per vaginum, with a clear opinion of recent sexual intercourse. The minor discrepancies and the delay in formal recordings of statements have been satisfactorily explained and do not touch the core of the prosecution case. The defence of false implications on account of a land remains unsupported and has been rightly rejected.

49. In view of the settled proposition of law, the testimony of a child prosecutrix, when found reliable and trustworthy and supported by medical evidence, is sufficient to sustain conviction. Applying these principles, we hold that the conviction of the appellant under section 376 and 342 RPC is fully justified when it is tested on the anvil of law governing the subject.

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Under such circumstances, we find no reason to interfere with the impugned judgment.

50. Accordingly, the appeal is found to be without merit and is dismissed. Judgement of conviction and order of sentence passed by the trial court are affirmed.

51. Let a copy of this order along with the record be sent to the trial court forthwith for information and further follow-up.

(SHAHZAD AZEEM)
JUDGE

(SANJAY DHAR)
JUDGE

SRINAGAR:
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Whether the judgment is speaking? Yes

Whether the judgment is reportable? Yes

HIGH COURT JAMMU & KASHMIR AND LADAKH सत्यमेव जयते

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