

DB sets-aside life imprisonment of husband

STATE TIMES NEWS

JAMMU: A Division Bench of Jammu & Kashmir and Ladakh High Court comprising Justice Sanjeev Kumar set-aside life-imprisonment awarded to one Kamlesh Kumar, husband of deceased.

DB after hearing Adv Amol Sharma for appellant whereas Advocate Sumit Bhatia for UT observed that having ring-side appraisal of facts and circumstances and quality and not the quantity of evidences on record, the Court is of considered view that the prosecution has miserably failed to prove the circumstances by leading evidence beyond any reasonable doubt. We do not find it a case where prosecution has proved and established the circumstances firmly and conclusively by leading evidence beyond any reasonable doubt, which form a chain complete in itself, leading to a hypothesis which is inconsistent with innocence of appellant. "Deceased was seen going to the forest with her goat merrily; conduct of the appellant rushing to his in-laws house instead of making search of his wife, who had not returned home till evening; failure of the appellant to lead evidence

to prove that at the time of commission of crime he was present at a place other than scene of occurrence, would all pale into insignificance. Firstly there is no concrete evidence in this regard and secondly it is for the prosecution which brings out charge against accused to prove its case beyond reasonable doubt, if not, beyond any iota of doubt. The onus to prove case put up by the prosecution against accused lies solely on prosecution, except in the cases where statute provides reverse burden. In the instant case there was no reverse burden on the accused and, therefore, it was not necessary for him to prove that at the time of occurrence he was at place other than the place of occurrence or in other words plead and prove the plea of alibi more so when the prosecution had not been able to establish even the foundation facts," the Court observed.

As per the case details, on May 19, 2014, Police Station Pancheri received information through reliable sources that dead-body of a woman namely, Sushma Devi, wife of appellant, resident of village Katti, Tehsil and District Udhampur, aged about 19-

20 years was found hanging with root of Kail tree with Dupatta around her neck at Khalia Dabbar jungle, Katti. The reason of death of woman was not known. Since death of Sushma Devi was found to have taken place under suspicious circumstances, as such, SHO Pancheri, Harminder Singh, initiated proceedings under Section 174 of CrPC. With a view to take inquest proceedings further, the Investigating Officer along with other police personnel camped on roadside at Latyan District Udhampur and statement of PW-2, Rano Devi, the mother of deceased was recorded under Section 175 CrPC, wherein she stated that deceased was married to appellant a year back. The husband of deceased, the appellant herein, used to beat Sushma Devi for bringing less dowry items and was continuously demanding more items and deceased used to narrate this to her family members. The mother of deceased, while continuing with her statement, stated that appellant was told that they do not have sufficient sources at that time and whenever they would have sufficient sources, they would provide him more

dowry items. The appellant was requested not to harass deceased but he did not mend his ways and was regularly beating deceased. Later, on May 18, 2014, the appellant thrashed deceased due to which she was left with no alternative but to end her life by hanging herself at Katti Khalia Dabbar forest. With the aforesaid statement of mother of deceased, the Investigating Officer found that offence punishable under Section 498-A RPC was, *prima facie*, made out against appellant. Accordingly, a docket was sent to Police Station for registration of the FIR, pursuant to which, FIR No.17/2014 under Section 498-A/306 of RPC was registered at Police Station Pancheri. After completion of investigation Challan was presented in trial court, which awarded life-imprisonment to appellant and thereafter present appeal was filed.

DB after hearing both

SAVE lodges FIR for killing of homeless dog

STATE TIMES NEWS

SAMBA: A stray dog died after allegedly being beaten by a man in village Ghagwal of district Samba.

As per report, a 50 year old man running a small Khokha inside Mandi area named Fau killed a black stray dog by attacking it with a Toka, inflicting two deep wounds at the back of the victim.

The cuts were so deep that the vertebral and spinal cord was cut and the dog was initially rescued by local youth and given first aid but dog kept screaming in immense pain and died yesterday, report said.

Talking to Chairperson 'Save Animals Value Environment', Devinder Kaur Madaan, we were told that increasing cases of animal abuse being reported from different districts in J&K is a cause for worry.

People have started venting their frustration on helpless animals. Low convictions in cases of Animal abuse is the reason people are not scared to harm helpless animals.

'Save Animals Value Environment' Organisation has lodged an FIR No. 0041 against the man at the police station.

'Wind-up Sarore Toll Plaza without delay'

STATE TIMES NEWS

JAMMU: Traders Federation Ware House Nehru Market Jammu on Wednesday appealed to the Government to abolish Sarore Toll Plaza in view of the latest statement of Road Transport and Highways Minister Nitin Gadkari in which he said that there should be no toll plaza within 60 kms on National Highways and he will ensure the norms are fully implemented in the next three months.

Federation President, Deepak Gupta, in a meeting, said that Sarore toll plaza should be removed immediately as there is less than 60 km distance between Ban toll plaza and Sarore toll plaza.

Gupta said that the



Traders Federation Ware House Nehru Market Jammu President, Deepak Gupta speaking in a meeting.

Section 8 of the National Highway Fee (Determination of Rates and Collection) Rules, 2008, which read: "Any other Toll Plaza on the same section of national highway and in the same direction shall not be established within a distance of 60 kilometers".

"The distance between the Sarore Toll Plaza and Ban Toll Plaza is approximately 37.04 kilometers as such the NHAI has violated its own rule", Gupta said.

Others present in the meeting include Munish Mahajan, Sr. Vice President, Abhimanyu Gupta, Vice President, Sham Lal Langer, General Secretary, Vishal Gupta, Secretary and Amit Gupta, Cashier of the Federation.

Power shutdown

STATE TIMES NEWS

JAMMU: Chief Engineer (Distribution) JPDCL, Jammu has informed that the power supply to Kot Bhalwal, Karwanda, Ghaink, Sehri, Barn Patta, Marjali, Central Jail and adjoining areas shall remain affected on March 25 from 9 am to 3 pm.

Similarly, the power supply to Kishtwar Town and adjoining areas shall remain affected on March 25 and 27 from 9 am to 3 pm.

Meanwhile, Superintending Engineer JPDCL O&M Circle Jammu has informed that the power supply to Bawa Talab and adjoining areas shall remain affected on March 26 from 9 am to 3 pm.

Likewise, the power supply to Reasi and Katra shall remain affected on March 25 from 10 am to 2 pm. Similarly, the power supply to Kishtwar Town and adjoining areas shall remain affected on March 25 from 9 am to 3 pm.

Similarly, the power supply to Satwari, Ashok

and adjoining areas shall remain affected on March 26 from 9 am to 3 pm.

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