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in absence of proper explanation, the courts must be on guard and test the evidence meticulously to rule out possibility of embellishments in the prosecution story, inasmuch as delay gives opportunity for deliberation and "guess work," the bench said in its verdict delivered on September 5.

"More so, in a case where probability of no one witnessing the incident is high, such as in a case of night occurrence in an open place or a public street," it said.

The bench delivered its verdict on the appeals filed by appellants -- Harilal and Parasram -- challenging the February 2010 judgment of the high court which had affirmed the July 1991 order of a trial court

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