

**[criminal trial](#) - Acquittal order - The scope of interference in an appeal against acquittal is very well crystalised - Unless such a finding is found to be perverse or illegal/impossible, it is not permissible for the appellate Court to interfere with the same.[Para 19]**

**Criminal trial - It is a settled principle of law that however strong a suspicion may be, it cannot take place of a proof beyond reasonable doubt. [Para 11]**

**Indian Penal Code, 1860, S.302, [evidence](#) Act, 1872, S.27 - Trial court found the testimonies of PWs 10 to 12 not to be reliable so as to base the conviction solely on the basis of such testimonies - Unless such a finding was found perverse, an interference therewith would not be warranted - Trial court disbelieved the recovery of clothes and weapon on two grounds. Firstly, that there was no memorandum statement of the accused as required under Section 27 of the Evidence Act, 1872 and secondly, the recovery of the knife was from an open place accessible to one and all - Reliance of Division Bench of the High Court on the recovery of the blood-stained clothes and the weapon which is alleged to have been used by the appellant in commission of the crime - We find that the approach adopted by the trial court was in accordance with law - However, this circumstance which, in our view, could not have been used, has been employed by the High Court to seek [corroboration](#) to the extra-judicial confession - View taken by the trial court could not be said to be either perverse or illegal/impossible to [warrant](#) interference - High Court has grossly erred in interfering with the well-reasoned [judgment](#) and order of acquittal passed by the trial court.*Rajesh Prasad v. State of Bihar, 2022 Scej 45, (2022-1)205 PLR 241 (SC) (SN), (2022) 3 SCC 471, relied.***

Tags: [\(2022-1\)205 PLR 241](#), [2012 PLRonline 0008](#), [2022 Scej 45](#), [B.R. Gavaia](#), [Charge sheet](#), [Circumstantial evidence](#), [Corroboration](#), [Criminal Jurisprudence](#), [Criminal Trial](#), [Criminal Trial - Acquittal](#), [def](#), [Evidence](#), [Extra-Judicial Confession](#), [FIR](#), [Gm](#), [Judges](#), [Judgment](#), [Panchayat](#), [Sanjay Karol](#), [Sentence](#), [Warrant](#), [Will](#)