

(2025-1)216 PLR 438 (SC) (SN), ABDUL WAHID v. STATE OF RAJASTHAN

Supreme Court of India

Present : Justice Pankaj Mithal and Justice Ujjal Bhuyan.

ABDUL WAHID & anr. – Appellant(s)

Versus

STATE OF RAJASTHAN – Respondent(s)

Criminal Appeal No. 722 of 2012 Alongwith Criminal Appeal No.1266 Of 2012.

Indian Evidence Act, 1872, Section 27 - Indian Penal Code, 1860, Section 302 - Murder - Benefit of doubt - Conviction based on sole unreliable eyewitness testimony - Essential corroboration lacking - Recovery of weapons highly suspect - No bloodstains on weapons, weapons not shown to doctor, seizure witnesses turned hostile, recovered items not produced in court - Clothes of accused not seized for forensic analysis - Glaring inconsistencies in prosecution evidence - Failure to link accused to homicidal death by credible evidence - Prosecution unable to discharge burden - Appellants entitled to acquittal - Conviction and sentence of life imprisonment quashed - Appeals allowed - Bail bonds discharged. [Para 21-25]

Cases referred:

1. *Anil Phukan v. State of Assam*, (1993) 3 SCC 282.
2. *Narendrasinh Keshubhai Zala v. State of Gujarat*, 2023 SCC OnLine SC 284.

JUDGMENT

Ujjal Bhuyan, J. - (28 February 2025) -

Full text reported as 2025 PLRonline 0055, ID 419854

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