

Where Exception under Sec.84 is claimed, the Court has to consider whether at the time of commission of the offence the accused by reason of unsoundness of mind, was incapable of knowing the nature of the act

Penal Code, 1860 (XLV of 1860), Sec.84 – Defence of insanity – In cases where Exception under Sec.84 is claimed, the Court has to consider whether at the time of commission of the offence the accused by reason of unsoundness of mind, was incapable of knowing the nature of the act or that he is doing what is either wrong or contrary to law – Entire conduct of the accused from the time of commission of the offence upto the time the Sessions proceedings commence was held to be relevant for the purpose of ascertaining as to whether the plea raised was genuine, bona fide or merely an after thought.

Lakshmiah v. State of Karnataka, AIR 2001 SC 3828