

**IN THE SUPREME COURT OF INDIA**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO(S). 154 OF 2019  
[ARISING OUT OF SPECIAL LEAVE PETITION (CRIMINAL)  
NO.10210/2017]**

**VEER SINGH VERMA . . . APPELLANT(S)**

**VERSUS**

**THE STATE OF UTTAR PRADESH . . . RESPONDENT(S)**

**ORDER**

1. We have heard the learned counsels for the parties.

2. Leave granted.

3. The accused appellant - Veer Singh Verma is aggrieved by the refusal of the courts below to discharge him of the offences punishable under Sections 498A and 304-B IPC read with Section 3/4 of the Dowry Prohibition Act, 1961.

4. The basis on which discharge was sought is that in the separate trial against the accused appellant's wife Munni Devi, the learned trial Court had recorded categorical findings that Munni Devi along with the present appellant, on the date of the occurrence, were in Assam. This was on the basis of the evidence of D.Ws. 10, 11, 12 and 16.

5. We have read and considered the findings of the learned trial Court in the judgment by which the wife of the accused appellant (i.e. Munni Devi) has been acquitted. In the said judgment, categorical findings have been recorded that Munni Devi along with her husband Veer Singh Verma i.e. present appellant were in Assam on the date of the occurrence.

6. Acquittal of Munni Devi has attained finality. If that is so, we do not see why the High Court has taken the view that the said fact i.e. that the accused appellant was in Assam on the date of occurrence needed to be proved in the course of the trial. On the basis of the judgment passed in the case of the wife of the appellant herein, the High Court, in our considered view, ought to have discharged the accused appellant. We, therefore, allow this appeal; set aside the order of the High Court and order for the discharge of the appellant herein in case Crime No.247/2005 under Sections 498-A, 304-B IPC read with Section 3/4 of the Dowry Prohibition Act, 1961 registered with P.S. Surajpur, Gautam Budh Nagar.

7. The appeal is disposed of in the above terms.

.....,CJI.  
(RANJAN GOGOI)

.....,J.  
(SANJIV KHANNA)

NEW DELHI  
JANUARY 28, 2019

ITEM NO.34

COURT NO.1

SECTION II

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

**PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NO(S). 10210/2017  
 (ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 15-09-2017  
 IN CRLMA NO. 19276/2017 PASSED BY THE HIGH COURT OF JUDICATURE AT  
 ALLAHABAD)**

**VEER SINGH VERMA****PETITIONER(S)****VERSUS**

**THE STATE OF UTTAR PRADESH RESPONDENT(S)  
 (FOR ADMISSION AND IA NO.140292/2017-EXEMPTION FROM FILING O.T. AND  
 IA NO.19784/2018-STAY APPLICATION AND IA NO.19787/2018-EXEMPTION  
 FROM FILING O.T. )**

**Date : 28-01-2019 This petition was called on for hearing today.**

**CORAM :**

**HON'BLE THE CHIEF JUSTICE  
 HON'BLE MR. JUSTICE SANJIV KHANNA**

**For Petitioner(s)**

**Mr. Shakil Ahmed Syed, AOR  
 Mr. Mohd. Parvez Dabas, Adv.  
 Mr. Syed Ahmed Daanish, Adv.  
 Ms. Uzmü Jamil Husain, Av.  
 Mr. Milan Laskar, Adv.**

**For Respondent(s)**

**Mr. Rajan Kumar Chourasia, Adv.  
 Mr. Sanjay Kumar Tyagi, AOR**

**UPON hearing the counsel the Court made the following  
 O R D E R**

**Leave granted.**

**The appeal is allowed and disposed of in terms of  
 the signed order. Consequently, all pending applications  
 shall stand disposed of.**

**[VINOD LAKHINA]****[ANAND PRAKASH]****AR-cum-PS****BRANCH OFFICER**

**[SIGNED ORDER IS PLACED ON THE FILE]**