

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 112 OF 2006

RAMJILAL & ORS.

.....

APPELLANTS

VERSUS

STATE OF M.P.

.....

RESPONDENT

O R D E R

1. The three appellants have been convicted for offences punishable under Sections 366 and 376 of the Indian Penal Code and have been sentenced to undergo five years rigorous imprisonment for the first offence and ten years rigorous imprisonment for the second one. The allegation is that they had committed gang rape on the prosecutrix, P.W. 1, who was a young widow. The trial court and the High Court have in addition relied on the evidence of P.W. 3 and P.W. 6, the parents of the victim P.W. 1, who have categorically stated that on the intervening night of 28th and 29th June, 1996, the prosecutrix had been sleeping inside their home when the appellants reached that place in a jeep armed with deadly weapons and they had told P.W. 6 to give his daughter as

a wife to Ramjilal appellant and on his refusal he had been threatened by the appellants on which he had run away from the spot. As per the prosecution story the prosecutrix was thereafter forced into the jeep and taken to the Amarkhaua jungle and repeatedly raped over a period of five days and then abandoned. She was subsequently recovered by the police and produced before the doctor for medical examination who found that she had been subjected to recent sexual intercourse and that there were several other injuries on her person as well.

2. We have heard the learned counsel for the parties and find that the statements of P.W. 1, the prosecutrix, and her parents P.W. 3 and 6 along with the medical evidence clearly supports the story that the prosecutrix had been abducted and subjected to gang rape by the appellants. We, therefore, have absolutely no reason to interfere with the concurrent findings of conviction recorded by the courts below.

3. The facts of the case also depict a sordid and shocking state of affairs. The facts ought to have resulted in a deterrent sentence and the sentence of ten years was clearly inadequate. However, as the State of M.P. has not chosen to come in appeal on the question of

sentence, we are unable to interfere on this aspect at this belated stage.

5. We, accordingly, dismiss the appeal.

.....J
[HARJIT SINGH BEDI]

.....J
[GYAN SUDHA MISRA]

NEW DELHI
JULY 12, 2011.

