

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 426 OF 2005**

STATE OF RAJASTHAN

.....

APPELLANT

VERSUS

VIDHYA DEVI

.....

RESPONDENT

O R D E R

1. We have heard the learned counsel for the State of Rajasthan and have gone through the judgment of the High Court very carefully. The facts indicate that the accused respondent was suffering from insanity on the date of the incident and the facts leading to this conclusion have been set out in extenso in the High Court's judgment. It has been highlighted that the incident happened on the 18th of February, 1996 and even before the challan had been filed on the 26th April, 1996, the accused had been sent to the Medical Hospital, Jaipur for treatment and that she had remained admitted in the hospital for treatment till 12th October, 1999 when she had been produced before the concerned Court on

that day and it was found that she was still behaving in an abnormal manner and on which she was again sent to the Medical Hospital, Jaipur and remained under treatment from 12th October, 1999 till 20th November, 2001. It is, therefore, obvious that the circumstances of the case show that the respondent was suffering from insanity and was, therefore, entitled to claim the benefit under Section 84 of the Indian Penal Code. We are, therefore, not inclined to interfere in this matter.

2. Dismissed.

.....J
[HARJIT SINGH BEDI]

.....J
[GYAN SUDHA MISRA]

NEW DELHI
AUGUST 04, 2011.

JUDGMENT