

Abdul Nassar Vs State Of Kerala & Anr

Court: Supreme Court Of India

Date of Decision: Jan. 7, 2025

Acts Referred: Constitution of India, 1950 " Article 136

Code of Criminal Procedure, 1973 " Section 174, 313, 366, 374(2), 394(2), 428

Indian Penal Code, 1860 " Section 201, 302, 376

Kerala Police Act, 2011 " Section 57

Juvenile Justice (Care and Protection) Act, 2000 " Section 23

Evidence Act, 1872 " Section 45

Hon'ble Judges: B.R. Gavai, J; K.V. Viswanathan, J; Sandeep Mehta, J

Bench: Full Bench

Advocate: Trideep Pais, Sakshi Jain, Harini Raghupathy, Saloni Ambastha, Pallav Mongia, Anubhav Mishra, Amritesh Krishna, Shashank Dwivedi, Nishe Rajen Shonker, Anu K Joy, Alim Anvar, Manu Krishnan, Santhosh K

Final Decision: Dismissed

Judgement

PW-1,Saleem

PW-2,Nazarudheen

PW-3,Abdul Azeez

PW-4,Unnikrishnan

PW-5,Vijayachandran Kutty

PW-6,Harinarayanan

PW-7,Ibrahim Kutty

PW-8,Shamsudheen

PW-9,Suhara

PW-10,Ibrahim Darimi

PW-11,Ramakrishnan

PW-12,Unnikrishnan

Ex. P-1,First Information Statement

Ex. P-2,Seizure Mahazar

Ex. P-3,"Admission abstract and certificate of theÃ, Ã, Ã, Ã,

deceased,Ã, Ã, Ã, Ã, issuedÃ, Ã, Ã, byÃ, Ã, Ã, Ã,

the Headmaster, Government LP School,

Kavalamukhatta

Ex. P-4, "Property certificate issued by Village

Officer, Amarambalam

Ex. P-5, Scene Plan

Ex. P-6, Seizure Mahazar

Ex. P-7, Seizure Mahazar

Ex. P-8, "Septic Tank Report issued by Asst.

Engineer, PWD, Building, PWD,

Section, Nilambur

Ex. P-9, "Report incorporating the offence under S. 302, Indian Penal

Code, 1860 (IPC)

Code, 1860 (IPC)

Ex. P-10, Seizure Mahazar

Ex. P-11, First Information Report

Ex. P-12, Potency Certificate

Ex. P-13, "Examination report on semen stains, blood, and hair

Ex. P-14, DNA Report

Ex. P-15, Post-Mortem report

Ex. P-16, Seizure Mahazar

Ex. P-17, Seizure Mahazar

Ex. P-18, Seizure Mahazar

Ex. P-19, Inquest Report

Ex. P-20, "Report submitted in court incorporating offences

under S. 376 and 201 of the IPC, and the offence under S. 23 of the Juvenile Justice (Care and Protection)

Act, 2015

Ex. P-21, "Report submitted in court, adding name of the accused to the FIR.

Ex. P-22, "List of property sent to Magistrate,

filed by PW24.

Ex. P-23,"ExtractÃ, ofÃ, confessionalÃ, statementÃ, of
the accused.

Ex. P-24,Chemical analysis certificate.

Ex. P-25,"Copy of request for collection of nail clippings,Ã, Ã,
hair,Ã, Ã, andÃ, Ã, bloodÃ, Ã, ofÃ, Ã, the accused.

MO13,Piece of shawl

MO14,Dothi

MO15,Full sleeves shirt

MO16,Passport of the accused.

MO17,Election Identity Card of the accused

11.14 That the instant case does not fall within the purview of the rarest of rare cases. The High Court affirmed the death sentence awarded to the,

accused without adverting to the relevant mitigating and aggravating circumstances pertaining to the accused.,

He thus implored the Court to accept the appeals and set aside the impugned judgments.,

Submissions on behalf of Respondent-State: -,

12. Per contra, Shri R. Basant, learned senior counsel representing the State, vehemently and fervently opposed the submissions advanced by the",

learned senior counsel for the accused appellant and submitted that every reasonable hypothesis points towards the guilt of the accused. He urged that,

two Courts, i.e., the trial Court as well as the High Court, have recorded concurrent findings of facts, convicting the accused and hence, this Court in",

the exercise of its jurisdiction under Article 136 of the Constitution of India should be slow to interfere with such concurrent findings of facts. He,

advanced the following submissions while supporting the impugned judgment and imploring the Court to dismiss the appeals: -,

12.1 That the blood stains were found inside the house of the accused, beneath the cot and on the cot, and the DNA Report Ãçâ,~ËœExhibit P-14Ãçâ,~â,,ç",

establishing that the blood stains found were that of the deceased.,

12.2 That the seminal stains on the vaginal swab and smear of the deceased collected by Forensic Surgeon (PW22) also matched with the DNA of,

the accused as per the DNA Report (Exhibit P-14).,

12.3 That the Inquest Report (Exhibit P-19) is an admissible piece of evidence since the same was prepared by the Investigation Officer (PW-24),

while discharging his official duties under Section 174 CrPC. In this regard, the learned counsel placed reliance onRameshwar Dayal and Others v.",

State of U.P. (1978) 2 SCC 518 and George and Others v. State of Kerala and Another (1998) 4 SCC 605,

12.4 That no explanation has been given by the accused for recovery of the writing pad (MO3), pen (MO4), plastic cover (MO5), plastic carry bag",

(MO6) and the underwear of the victim (MO11) from the roof of his own house.,

12.5 That the learned counsel for the appellant contended that Nazarudheen (PW2) went to the house of the accused four times on the date of the,

incident i.e. 4th April, 2012. The body of the deceased was found by him on the fourth visit, and PW2 had even searched the bathroom on his third",

visit but did not find anything. However, he submitted that it is clear from the evidence of Nazarudheen (PW2) that he had a grave suspicion against",

the accused, and he informed this fact to Shamsudheen (PW8) and Unnikrishnan (PW12). The accused became apprehensive after the third visit of",

Nazarudheen (PW2) and thus, he told PW2 that he did not have the key to his house. In the meantime, he shifted the body from the bedroom to the",

bathroom in an attempt to hide the dead body in the septic tank.,

12.6 That the instant case falls within the rarest of rare cases as the accused was in a relationship of trust, belief, and confidence with the deceased,"

being the father of a friend of the deceased and there are no extenuating circumstances which can be said to mitigate the enormity of the crime.,

On these submissions, Mr. Basant implored the Court to dismiss the appeals and affirm the impugned judgement.",

Discussion and Conclusion: -,

13. We have given our thoughtful consideration to the submissions advanced at bar and have gone through the judgments of the trial Court and High,

Court as well as the evidence available on record.,

14. Indisputably, the prosecution case rests on circumstantial evidence. The law with regard to a case based purely on circumstantial evidence has",

very well been crystalized in the judgment of this Court in the case of Sharad Birdhichand Sarda(supra), wherein this Court held thus:",

“152. Before discussing the cases relied upon by the High Court we would like to cite a few decisions on the nature, character and essential proof required in a",

criminal case which rests on circumstantial evidence alone. The most fundamental and basic decision of this Court is Hanumant v. State of Madhya Pradesh [(1952) 2,

SCC 71: AIR 1952 SC 343: 1952 SCR 1091: 1953 Cri LJ 129]. This case has been uniformly followed and applied by this Court in a large number of later decisions up to,

date, for instance, the cases of Tufail (Alias) Simmi v. State of Uttar Pradesh [(1969) 3 SCC 198: 1970 SCC (Cri) 55] and Ramgopal v. State of Maharashtra [(1972) 4 SCC",

625: AIR 1972 SC 656]. It may be useful to extract what Mahajan, J. has laid down in Hanumant case [(1952) 2 SCC 71: AIR 1952 SC 343: 1952 SCR 1091: 1953 Cri LJ",

129];,

“It is well to remember that in cases where the evidence is of a circumstantial nature, the circumstances from which the conclusion of guilt is to be drawn should in”,

the first instance be fully established, and all the facts so established should be consistent only with the hypothesis of the guilt of the accused. Again, the”,

circumstances should be of a conclusive nature and tendency, and they should be such as to exclude every hypothesis but the one proposed to be proved. In other”,

words, there must be a chain of evidence so far complete as not to leave any reasonable ground for a conclusion consistent with the innocence of the accused and it”,

must be such as to show that within all human probability the act must have been done by the accused.”

153. A close analysis of this decision would show that the following conditions must be fulfilled before a case against an accused can be said to be fully established:

(1) The circumstances from which the conclusion of guilt is to be drawn should be fully established.,

It may be noted here that this Court indicated that the circumstances concerned “must or should” and not “may be” established. There is not only a,

grammatical but a legal distinction between “may be proved” and “must be or should be proved” as was held by this Court in Shivaji Sahabrao Bobade v.,

State of Maharashtra [(1973) 2 SCC 793 : 1973 SCC (Cri) 1033 : 1973 CrL LJ 1783] where the observations were made: [SCC para 19, p. 807: SCC (Cri) p. 1047]”,

“Certainly, it is a primary principle that the accused must be and not merely may be guilty before a court can convict and the mental distance between “must be” and “may be” is long and divides vague conjectures from sure conclusions.”

and “must be” is long and divides vague conjectures from sure conclusions.”

(2) the facts so established should be consistent only with the hypothesis of the guilt of the accused, that is to say, they should not be explainable on any other”,

hypothesis except that the accused is guilty, ”,

(3) the circumstances should be of a conclusive nature and tendency, ”,

(4) they should exclude every possible hypothesis except the one to be proved, and”,

(5) there must be a chain of evidence so complete as not to leave any reasonable ground for the conclusion consistent with the innocence of the accused and must,

show that in all human probability the act must have been done by the accused.,

154. These five golden principles, if we may say so, constitute the panchsheel of the proof of a case based on circumstantial evidence.”

15. In the light of these guiding principles, we will have to examine the facts of the present case.”,

16. Before delving into the discussion with respect to the submission regarding the breach in the link evidence on which the entire focus was laid by,

the learned senior counsel for the appellant, we would like to discuss the other important pieces of evidence on which the trial Court as well as the”,

High Court relied upon so as to record and uphold the conviction recorded against the accused appellant.,

17. The High Court primarily relied upon the deposition of maternal uncle of the deceased child namely, Saleem(PW-1), another maternal uncle of the”,

deceased child namely, Nazarudheen (PW-2), mother of the deceased, Suhara (PW-9), and the Madrassa teacher, Ibrahim Darimi (PW-10). The",

summary of the evidence of these witnesses can be extracted from paragraphs 8 to 11 of the impugned judgment rendered by the High Court which is,

reproduced hereinbelow for the sake of convenience:-,

8. PW1 is the uncle (mother's brother) of the deceased. He gave FI statement regarding the fact that the girl was missing from their house. Ext.P1 is the FI,

statement given at 7.00 p.m. on 4/4/2012. In the statement, he has stated that she had gone to the madrassa at about 7 am on 4/4/2012. Since she did not come back by",

about 10 am, he had gone and enquired at the Madrassa, and he was told that she had not reached there. When enquired with the people in the locality, they told that",

she was seen within 100 meters of the madrassa. They went and checked up in the locality and the house of relatives where she would normally go. Since no,

information was received, a complaint was filed.",

9. PW9 is the mother of the deceased child., She deposed that the victim was studying in the 3rd standard in Government L.P. School at Kavalamukkatta in 2012. The",

birth certificate had been produced by the Headmaster of the School PW5 and marked as Ext.P3. In Ext.P3, her date of birth was shown as 25/8/2002.",

10. PW10, the teacher in the madrassa deposed that she was studying in the 3rd standard and normally she comes at 7.00 a.m. and the class will be over by 9.00 a.m.",

On 4/4/2012, there was an examination, but she did not come.",

11. PW2 is another uncle (mother's brother), of the deceased. He deposed that while conducting search for the minor girl, he got information from a lady by name",

Amina that she saw her granddaughter and the victim going together in the direction of madrassa. When he enquired in the madrassa, he was informed that she did",

not reach there. The house of the accused is very near to the madrassa. PW2 conducted a search near the house of the accused also. The house of the accused was,

found locked. During a second search, PW2 again reached near the house of the accused by around 4.00 p.m. Even at that time, the house was found locked. By",

about 6.45 p.m., he along with certain other persons reached near the house of the accused. The accused was found sitting on the veranda. When they asked the",

accused about the girl, he told them that he also went in search for her, and he reached the house only at that time PW2 also searched the shed and the bathroom of",

the said house. He asked the accused to open the house in order to conduct a search. Accused told him that the key was with his wife and that he would go and,

bring it. PW2 therefore went to search in the pond which was situated near the house of the accused. He again went near the madrassa where he met a few other,

persons including PW8. However, PW2 had some suspicion regarding the accused which he communicated to them. They therefore came to the house of the",

accused. They found the house of the accused locked. PW12 had a torch with him. He went to the bathroom and found a heap of clothes. He called others. PW8,

entered the bathroom and removed the clothes and found the dead body of the girl lying beneath the clothes. They shouted for the people in the locality. Many,

people gathered and the police also had come, PW8 and PW12 who were also along with PW2 had supported the above version. " ,

18. Neither there is any doubt, nor any argument was raised by the learned counsel for the appellant that any of these witnesses bore an animus",

against the accused so as to influence them for deposing falsely against the accused. All these witnesses are either related to the victim or were,

residents of the neighbourhood who could not have entertained any motive for falsely implicating the accused and that too, for such a heinous offence.",

The evidence of these witnesses portrays the following sequence of the events: -,

18.1 The child victim had proceeded from the house for going to the Madrassa at 6:30 am on 4th April, 2012. She did not reach the Madrasa on which",

a search was started.,

18.2 Since the last location of the child victim was found near the house of the accused, Nazarudheen (PW-2) [the maternal uncle of the deceased]",

conducted the search near his house which was found locked.,

18.3 The search proceedings continued and Nazarudheen (PW-2) again reached near the house of the accused at around 4:00 pm. Even at that time,",

the house of the accused was locked.,

18.4 At around 6:45 pm, Nazarudheen (PW-2) accompanied with certain other persons reached near the house of the accused and the accused was",

found sitting in the veranda of the house.,

18.5 On inquiry being made from the accused about the girl, he replied that he had also gone for search of the child and had reached back to his house",

only at that time.,

18.6 Nazarudheen (PW-2) also searched the shed and the bathroom of the house of the accused. He asked the accused to open the house in order to,

conduct a search. The accused told him that the key was with his wife, and he would go to fetch it.",

18.7 Nazarudheen (PW-2) went to search in the pond which was situated near the house of the accused. He again went near the Madrassa where he,

met few other members of the search party including Shamsudheen (PW-8).,

18.8 The conduct of the accused raised suspicion upon which Nazarudheen (PW-2) along with the other members of the search party,

[Shamsudheen(PW-8) and Unnikrishnan(PW-12)] came back to the house of the accused which was still locked.,

18.9 Unnikrishnan (PW-12) had a torch with him. He lighted the torch and went to the bathroom and in illumination thereof, he found a heap of",

clothes. He called the other members of the search party. Shamsudheen (PW-8) entered the bathroom and removed the clothes and found the dead,

body of the child victim lying beneath the clothes.,

18.10 A hue and cry was raised, and many people gathered there. The parents of the deceased child were also called.",

18.11 The people of the locality caught hold of the accused and he was taken to the hospital where certain injuries were noted on his body.,

Shamsudheen (PW-8) and Unnikrishnan (PW-12) also fully supported the version of Nazarudheen (PW-2) in their depositions.,

18.12 The dead body of the deceased child was subjected to postmortem at the hands of Dr. P.A. Sheeju (PW-22) who took note of a total of 37,

ante-mortem injuries in the postmortem report. Exhibit P-15. The doctor opined that the victim died due to manual compressive and ligature,

constrictive strangulation. The injuries on the body and external genitalia were suggestive of forcible vaginal penetrative sex.,

19. A holistic view of the evidence of Nazarudheen (PW-2), Shamsudheen (PW-8) and Unnikrishnan (PW-12) would show that their initial attempts",

to search the house of the accused did not succeed because the same was found to be locked. At that time, these witnesses had also checked inside",

the bathroom which is just adjacent to the house of the accused. The accused has not denied that this bathroom was a part and parcel of his property.,

20. When the initial search of the bathroom was taken, nothing was seen therein. Immediately thereafter, the accused posed to the search party that",

the key to the lock of his house was with his wife. There was an intervening gap in these two events. After some interregnum, when the witnesses",

Nazarudheen (PW-2), Shamsudheen (PW-8) and Unnikrishnan (PW-12) went into the bathroom of the accused, they found the dead body of the child",

lying there. It shows that when the witnesses kept on persevering to search the house of the accused, he tried to parry their attempts. Taking",

advantage of the gap wherein the witnesses had gone to the Madrassa, he shifted the dead body from inside of the house to the bathroom and that is",

why the dead body was found lying in the bathroom on second search being made.,

21. The Investigating Officer (PW-24) apprehended the accused and arrested him. At the time of arrest, the accused was found having injuries which",

appear to have been caused by the local people before his arrest.,

22. The Investigating Officer (PW-24) interrogated the accused and recorded his disclosure statement. Exhibit P-23 and acting in furtherance,

thereof, the school bag containing the writing pad and footwear etc. of the victim were recovered. These articles were identified by Suhara(PW-9)",

the mother of deceased.,

23. The summary of the scientific evidence and the carrying of the samples by the police officials for forensic examination are contained in paragraph,

13 of the impugned judgment rendered by the High Court and the same is being reproduced hereinbelow for the sake of ready reference:-,

“13. The investigating officer had also taken steps for conducting scientific evidence by sending about 16 sealed packets to the Forensic Science Laboratory,”,

PW20 had conducted the examination of seminal stain on item Nos.1 to 5, 12 and 13(a) and the same was detected in all those items. The items were a midi skirt M07, a”,

dhoti MO14, a towel and vaginal swab. Blood was also detected on the midi skirt, petticoat, dhoti, a full sleeve shirt, cotton gauze etc. The blood was found to be of”,

human origin. Further, nail cuttings were also examined by PW20. But no foreign tissues were detected. Various other items were sent by PW20 for DNA analysis.”,

PW21 has conducted a DNA analysis. DNA typing showed that the seminal stains in item Nos. 1 and 13(a) belonged to the accused. Item No.1 is the midi skirt and,

item No. 13(a) is the vaginal swab. Item No.16 was the blood sample taken from the accused. It is further reported that the DNA typing showed that the blood stains,

in items Nos, 5 and 6 and the cells on the nail cuttings in item Nos.17(a) and 17(b) belonged to the accused. Item No.5 is the reddish brown coloured torn single dhoti”,

and item No.6 is the green coloured torn and soiled full sleeve shirt with self-lines. Further DNA typing shows that item Nos.1, 7, 8 and 12 and vaginal cells in item”,

No:13(a) belonged to the deceased. Item No.7 is the blood stain collected in cotton gauze from the floor beneath the cot and item No.8 is the blood stain collected in,

the cotton gauze from the cot. Ext.P14 is the report prepared by PW21.”

24. Though learned counsel for the appellant has vehemently and fervently criticised the link evidence, but after going through the testimony of the”,

Investigating Officer (PW-24), DNA expert (PW-4) Constable Nisha (PW-16) and on an overall appreciation of the evidence of the witnesses”,

mentioned above, we find that the prosecution has given convincing link evidence to establish the safe keeping of the samples right from the time of”,

the seizure till receipt at the forensic laboratory. The accused himself has not claimed that after his arrest, the Investigating Officer (PW-24) tried to”,

collect his sample of the semen. Thus, there was no possibility that the semen containing the DNA of the accused could have been planted on the”,

body of the deceased.,

25. The following circumstances stand firmly established from a threadbare analysis of the evidence available on record, pointing towards the guilt of”,

the accused appellant: -,

(i) The child victim was a friend of the daughter of the accused, and they used to go to Madrassa together.”,

(ii) On the date of incident, the child victim was seen with the daughter of the accused. However, she never reached Madrassa.”,

(iii) When the child victim did not return home, an extensive search was conducted and since, the child victim was last seen with the daughter of the accused, the",

needle of suspicion pointed towards the house of the accused, more particularly because his house was situated close by the Madrassa.",

(iv) Nazarudheen (PW-2) tried to repeatedly search the house of the accused along with neighbours and in the efforts to trace out the child victim, the witness found",

the house of the accused locked in his first and second attempts.,

(v) During the third search attempt, the witness(PW-2) found the accused sitting in verandah of his house. Upon being asked for the permission to search his house,"

the accused stated that the keys of the house were with his wife, and he would bring it himself.",

(vi) The witness Nazarudheen (PW-2) during the third attempt, searched the slopping shed and the bathroom adjacent to the house but to no avail whereafter, he",

went to search the pond near the house of the accused.,

(vii) After searching the pond, the witness(PW-2) fixed the battery of the torch which he had called from his father, since it was dark and reached near the Madrassa.",

(viii) In the fourth attempt, witnesses namely, Nazarudheen (PW-2), Shamsudheen (PW-8) and Unnikrishnan (PW-12) got suspicious of the accused's conduct",

and resumed the search of the house of the accused and even this time, the house of the accused was locked, and the accused was not present there. PW-12",

inspected the bathroom by lighting his torch and found a heap of clothes, which was removed by PW-8 and the dead body of the child victim was discovered",

concealed thereunder.,

(viii) Two stones of the septic tank inside the house of the accused were also found moved.,

(ix) Blood-stained pink colour midiskirt (MO-7), petticoat (MO-8) and black miditop (MO-9) worn by the deceased child victim were identified by her mother(PW-9),"

recovered by the police officials from the house of the accused and were seized. An underwear(MO11) of the deceased was also found in the kitchen of the house of,

the accused.,

(x) Blood stains were found on the cot and floor beneath it.,

(xi) As per the postmortem report Exhibit P-15, a total of 37 ante mortem injuries were found on the child victim's body along with injuries on the genitalia,"

suggestive of forcible penetrative sexual assault. The cause of death was opined to be manual compressive and ligature constrictive strangulation.,

(xii) As per the FSL report Exhibit P-13, the midiskirt worn by child victim, the dhoti of the accused and cotton gauze collected from the scene of crime",

contained human spermatozoa and semen. The hair collected from the crime scene matched with the hair of the deceased child victim.,

(xiii) The DNA report Exhibit P-14 clearly proved that the DNA profile of the semen stains found on the midiskirt (MO-7) matched with that of the accused.,

Further, the blood stains found on the cot and beneath it were that of the deceased child victim.",

(xiv) The slippers, hard-board writing pad, plastic cover of the writing pad, grey coloured pen and light rose small plastic carry bag belonging to the deceased child",

victim, as identified by her mother (PW-9), were recovered in furtherance of the voluntary disclosure statement
Exhibit P-23 of the accused.",

26. Based on the analysis of the evidence on the record, we are of the view that the chain of incriminating circumstances required to bring home the",

guilt of the accused is complete in all aspects. In the present case, we affirm that the prosecution has been able to prove the guilt of the accused",

appellant by fulfilling the five golden principles (Panchsheel) laid down by this Court in the case of Sharad Birdhichand Sarda(supra) and that the,

circumstances present before us, taken together establish conclusively only one hypothesis that being the guilt of the accused appellant.",

27. In the wake of the discussion made hereinabove, there is no doubt in the mind of the Court that the prosecution has proved by leading clinching",

and convincing circumstantial evidence that the accused had committed forcible and violent sexual assault on the child victim and, thereafter, strangled",

and killed her.,

28. While we concur with the ultimate conclusions reached by the learned trial Court and the High Court, we cannot overlook the deficiencies in the",

methodology adopted by both the Courts in the appraisal and analysis of the circumstantial evidence. The manner in which the evidence has been,

scrutinized lacks the depth and rigor expected, raising concerns about the adequacy of the evaluative process undertaken to arrive at the said",

decisions.,

29. The Courts have undertaken an examination of the testimonies of the witnesses but has omitted to delineate the inferences derivable therefrom.,

Moreover, they failed to expound upon how the prosecution has succeeded in constructing an unbroken chain of circumstances that irrefutably",

establishes the culpability of the accused to the exclusion of any other hypothesis.,

30. We deem it essential to enunciate the principles that courts must adhere to while appreciating and evaluating evidence in cases based on,

circumstantial evidence, as follows:",

(i). The testimony of each prosecution and defence witness must be meticulously discussed and analysed. Each witness's evidence should be assessed,

in its entirety to ensure no material aspect is overlooked.,

(ii). Circumstantial evidence is evidence that relies on an inference to connect it to a conclusion of fact. Thus, the reasonable inferences that can be",

drawn from the testimony of each witness must be explicitly delineated.,

(iii). Each of the links of incriminating circumstantial evidence should be meticulously examined so as to find out if each one of the circumstances is,

proved individually and whether collectively taken, they forge an unbroken chain consistent only with the hypothesis of the guilt of the accused and",

totally inconsistent with his innocence.,

(iv). The judgment must comprehensively elucidate the rationale for accepting or rejecting specific pieces of evidence, demonstrating how the",

conclusion was logically derived from the evidence. It should explicitly articulate how each piece of evidence contributes to the overall narrative of,

guilt.,

(v). The judgment must reflect that the finding of guilt, if any, has been reached after a proper and careful evaluation of circumstances in order to",

determine whether they are compatible with any other reasonable hypothesis.,

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31. Consequently, the appeals lack merit and are hereby dismissed. However, the question of execution of death sentence awarded to the appellant",

has been rendered otiose, considering the fact that he has passed away. Thus, there remains no question of dealing with the aspect of capital",

punishment awarded to the appellant(since deceased).,

32. Pending application(s), if any, shall stand disposed of.",