

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.667/2018

NITTU @ BITTU @ BINTU

APPELLANT(S)

VERSUS

THE STATE OF HARYANA

RESPONDENT(S)

O R D E R

1. Appellant lays challenge to the judgment and order dated 13.03.2014 passed by the High Court of Punjab and Haryana at Chandigarh in CRA No.D-1013-DB of 2009 titled "*Nittu alias Bittu @ Bintu vs. State of Haryana.*"

2. In relation to an FIR dated 30th August, 2008, the accused/appellant herein faced trial for the murder of Gurmeet Kaur. The Trial Court *vide* judgment dated 14th October, 2009 while acquitting some of the co-accused, convicted the present appellant for having committed an offence punishable under Section 302 IPC. The High Court *vide* impugned order dated 13.03.2014 has affirmed such findings of fact of guilt; conviction and sentence imposed by the Trial Court.

3. Having perused and appreciated the materials on record, we are of the considered view that no ground

for interference is made out in the present appeal. Delay of 12 hours in lodging the FIR, in our considered view cannot be said to be fatal rendering the prosecution case to be doubtful in any manner.

4. The prosecution has examined 14 witnesses, establishing the guilt of the accused. Sukhwinder Singh (PW-4) is a spot witness who has witnessed the occurrence of the incident. No doubt he is the son of the deceased but then that itself, cannot be a ground for rejecting his testimony. Interested and truthful witness are two separate things. A relative may be interested in the eventual success of prosecution but still can be truthful. There is nothing on record suggesting his credit to be impeached or testimony to be unreliable. The witness is wholly reliable. Unrefutably, he has been able to establish the prosecution case of the accused having inflicted injuries on the head of the deceased with a sharp-edged weapon (kulhari) which was recovered by the Police during the course of investigation. The injuries sustained by the deceased were grievous in nature, resulted into her death. There was no animosity inter se the parties. As such, Gurmeet Kaur, the deceased had no grudge to harbour against the accused. It is not a case of a sudden fight; and/or an act committed in a heat of passion. There is yet another witness i.e. the husband of the deceased (PW-3), who is also the complainant, has supported the prosecution in proving the guilt of the accused to the hilt.

5. In the aforesaid facts and circumstances, we see no reason to interfere with the impugned Judgment passed by the High Court.

6. We however, clarify that it shall be open for the appellant, considering the long incarceration, for availing the benefit of remission as framed by the State. We are sure that as and when the appellant would be entitled for the benefits thereunder, the same, shall be accorded without any delay.

7. The appeal is dismissed.

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

.....J.
[SANJAY KAROL]

.....J.
[SATISH CHANDRA SHARMA]

NEW DELHI;
5TH June, 2025

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

Criminal Appeal No. 667/2018

NITTU @ BITTU @ BINTU

Appellant(s)

VERSUS

THE STATE OF HARYANA

Respondent(s)

(IA No. 16851/2014 - PERMISSION TO FILE ANNEXURES)

Date : 05-06-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KAROL
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
(PARTIAL COURT WORKING DAYS BENCH)

For Appellant(s) : Mr. Mukesh Kumar Verma, Adv.
Mr. Mayank Singh, Adv.
Mr. Yadav Narender Singh, AOR

For Respondent(s) : Mr. Gaurav Kumar, Adv.
Mr. Vinod Sharma, Adv.
Mr. Akshay Amritanshu, AOR
Ms. Drishti Rawal, Adv.
Ms. Pragya Upadhyay, Adv.
Ms. Drishti Saraf, Adv.

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

1. The appeal is dismissed in terms of signed order.
2. Pending application(s), if any, shall stand disposed of.

(RAJNI MUKHI)
ASTT. REGISTRAR-cum-PS

(NIDHI MATHUR)
COURT MASTER (NSH)

(Signed order is placed on the file)