

CONTENTS

Aspi Jal & Anr. v. Khushroo Rustom Dadybu	.....	732
Bhagwati Developers Private Ltd. v. The Peerless General Finance Investment Company Limited & Ors.	.....	708
Bharat Petroleum Corporation Limited v. Rama Chandrashekhar Vaidya and Anr.	.....	674
Kulwant Singh & Ors. v. State of Punjab	.....	604
Lal Bahadur & Ors. v. State (NCT of Delhi)	.....	744
Manoj H. Mishra v. Union of India & Ors.	.....	770
Mohan Lal & Anr v. State of Punjab	.....	831
Neena (Smt.) Vikram Verma v. Balmukund Singh Gautam & Ors.	.....	845
Ramesh Chandra Shah and Ors. v. Anil Joshi and Ors.	.....	687
Rukmini Amma & Ors. v. Rajeswary (Dead) through LRs. & Ors.	.....	579

State of Kerala v. Abdul Ali	.....	799
Union of India & Ors. v. Ex-GNR Ajeet Singh	.....	620
Usha Stud and Agricultural Farms Private Limited (M/s.) and Ors. v. State of Haryana and Ors.	.....	645
Venkataraja & Ors. v. Vidyane Doureradjaperumal (D) Thr.Lrs. & Ors.	.....	814

SUBJECT-INDEX**ADMINISTRATIVE LAW:**

Opportunity of hearing - Rule of audi alteram partem.

(See under: Land Acquisition Act, 1894) 645

APPEAL:

Appeal against acquittal - Power of appellate court to re-appreciate evidence - Held: Appellate court has full power to review the evidence upon which the order of acquittal is founded - High Court is entitled to re-appreciate the entire evidence in order to find out whether findings recorded by trial court are perverse or unreasonable.

(Also See under: Penal Code, 1860)

Lal Bahadur & Ors. v. State (NCT of Delhi) 744

ARMY ACT, 1950:

ss.39(a) and 52(a) - Army Rules, 1951 - rr.65, 72 and 79 - Court martial proceedings for absence without leave, for theft of ammunitions and for possession of counterfeit seal - Punishment of dismissal from service and 7 years RI - Writ petition - High Court held that entire court martial proceedings stood vitiated as the same could not have been held for the offences which the delinquent had committed as a juvenile - Held: In view of Juvenile Justice Act, the delinquent could not have been tried in Court Martial for offences which he had committed as a juvenile - But each charge was in respect of a separate and distinct offence and each charge could have been tried

separately - Thus, trial by Court Martial was partly valid - Valid part of the proceedings is required to be saved by applying the principle of severability of offences - Therefore, Court Martial Proceedings could not have been held invalid in entirety - By joint trial of all the charges, no prejudice has been caused to accused, rather he has been benefited - Therefore, conviction recorded by Court Martial is maintained, but in view of the facts of the case, sentence is reduced to 5 years RI - Juvenile Justice (Care and Protection of Children) Act, 2000.

Union of India & Ors. v. Ex-GNR Ajeet Singh 620

ARMY RULES, 1951:

rr. 65, 72 and 79.

(See under: Army Act, 1950) 620

BURMAH SHELL (ACQUISITION OF UNDERTAKINGS IN INDIA) ACT, 1976:

(See under: Property Law) 674

CODE OF CIVIL PROCEDURE, 1908:

(1) (i) s.10 - Applicability of - Held: s.10 is not applicable where few of the matters in issue are common in both the suits - It is applicable when the entire subject matter in controversy is same - 'Matter in issue' does not mean any of the questions in issue - s.10 is not applicable in the facts and circumstances of the case.

(ii) s.10 - Purpose and object of - Held: The basic purpose and underlying object of s.10 is to avoid the possibility of contradictory verdicts by two courts

(v)

in respect of same relief, and to protect the defendant from multiplicity of proceedings.

Aspi Jal & Anr. v. Khushroo Rustom Dadyburjor 732

(2) O. 2, r.2.

(See under: Specific Relief Act, 1963) 814

(3) O. 6, r.16 and O. 7, r.11.

(See under: Election Petition) 845

(4) O. 23 r. 1(5) - Withdrawal of case - Without the consent of other parties - Propriety of - Held: A suit filed in representative capacity also represents persons besides the plaintiff - Grant of withdrawal of such petition without the consent of other parties, is unjustified and such order is without jurisdiction.

(Also See under: Companies Act, 1956)

Bhagwati Developers Private Ltd. v. The Peerless General Finance Investment Company Limited & Ors. 708

CODE OF CRIMINAL PROCEDURE, 1973:

(1) s.309(1), Proviso - Rape case - Speedy trial - A procedure which does not ensure a reasonably quick trial, cannot be regarded as 'reasonable', 'fair' or 'just' and it will fall foul of Art. 21 - It is duty of court not to adjourn the proceedings for such a long period, giving an opportunity to accused to persuade or force the witnesses - In the instant case, trial court went against the spirit of law by recording the statement of prosecutrix on five different dates - Constitution of India, 1950 - Art. 21.

(vi)

(Also See under: Penal Code, 1860)

Mohan Lal & Anr. v. State of Punjab 831

(2) s.464 - Misjoinder of charges - Effect of - Held: Misjoinder of charges is merely an irregularity which can be cured - Misjoinder of charges would not invalidate the proceedings unless a failure of justice has occasioned or the person aggrieved has been prejudiced.

(Also See under: Army Act, 1950)

Union of India & Ors. v. Ex-GNR Ajeet Singh 620

COMPANIES ACT, 1956:

(i) ss. 397 and 398 - Company petition - With the consent of other share-holders - Withdrawal of, by original petitioners - Effect of - Held: The withdrawal would not render the petition non-existent, or non-maintainable - The constructive parties who provide consent to file the petition, are entitled to be transposed as petitioners in the case.

(ii) s. 399 - Company petition - With the consent of other share-holders - Form of consent - Held: Consent need not be given by the share-holder personally - It can be given by Power of Attorney holder of such share-holder - The issue of consent must be decided on the basis of broad consensus approach, in relation to the avoidance and subsistence of the case - If share-holder who had initially given consent to help meet the requirement of 1/10th share-holding, transfer of shares by him or if he ceases to be share-holder, would not affect

(vii)

the maintainability and continuity of petition.

*Bhagwati Developers Private Ltd. v.
The Peerless General Finance Investment
Company Limited & Ors.* 708

COMPANIES RULES, 1959:

r. 88(2) - Company petition - Withdrawal of -
Procedure for, prescribed under r. 88(2) - Whether
excludes applicability of the procedure under CPC
- Held: No - Code of Civil Procedure, 1908.
(Also See under: Companies Act, 1956)

*Bhagwati Developers Private Ltd. v.
The Peerless General Finance Investment
Company Limited & Ors.* 708

CONDUCT OF ELECTIONS RULES, 1961:

r.63.
(See under: Election Petition) 845

CONSTITUTION OF INDIA, 1950:

(1) Art. 14.
(See under: Land Acquisition Act, 1894) 645

(2) Art. 21.
(See under: Code of Criminal Procedure,
1973) 831

(3) Art. 136.
(See under: Labour Law) 770

COURT MARTIAL:

Nature of - Court Martial proceeding is substitute
of a criminal trial - Therefore, the case coming
against the order in Court Martial proceedings

(viii)

should be examined in accordance with the
principles/law applicable in a criminal case.

(Also See under: Army Act, 1950)

*Union of India & Ors. v. Ex-GNR Ajeet
Singh* 620

CRIMES AGAINST WOMEN:

(See under: Penal Code, 1860) 604
and 831

CRIMINAL JURISPRUDENCE:

Dispensation of justice - Held: There would be
failure of justice not only by unjust conviction, but
also by acquittal of the guilty - In case substantial
justice has been done, it should not be defeated,
when pitted against technicalities - Justice should
not be tampered with mercy.

(Also See under: Army Act, 1950)

*Union of India & Ors. v. Ex-GNR Ajeet
Singh* 620

CRIMINAL TRIAL:

Evidence - Appreciation - Assassination of Prime
Minister of India - Communal riots - Mob killed two
persons - Delay in filing of FIR and in recording of
the statements of witnesses by police - Held: Did
not affect the prosecution case - Circumstances of
the case were extraordinary - The city was in turmoil
and persons having witnessed crimes would
naturally be apprehensive and afraid in coming
forward to depose against the perpetrators, till
things settled down - Delay in recording statements

(ix)

of witnesses cannot be a ground to reduce its evidentiary value or to completely ignore it - Further, witnesses were residents of the same area and knew assailants and it was not the case of appellants that delay could have resulted in wrong identification of accused - Penal Code, 1860 - ss.147/149/449/436/302/395/396.

(Also See under: Penal Code, 1860)

Lal Bahadur & Ors. v. State (NCT of Delhi) 744

DOCTRINES / PRINCIPLES:

(1) Doctrine of waiver.

(See under: Service Law) 687

(2) Doctrine of severability.

(See under: Army Act, 1950) 620

ELECTION LAWS:

(i) Election petition - Recrimination petition - Filed by appellant - By consent order passed by Supreme Court, recrimination petition restored to the file of election petition - Subsequent application of respondent u/O. 6, r.16 CPC for striking off certain pleadings from Recrimination petition - Allowed by High Court on ground that such pleadings were vague, vexatious, non-specific and without any material facts - Held: Not proper - Once it is accepted by a party by consent that a particular petition (in the instant case the recrimination petition) is to be heard by the court, by giving up the objection u/O. 7, r.11, the very party cannot be subsequently permitted to seek striking off the pleadings containing the cause of action - High

(x)

Court to proceed to decide recrimination petition expeditiously - Code of Civil Procedure, 1908 - O. 6, r.16 and O. 7, r.11 - Representation of the People Act, 1951 - s.97 - Conduct of Elections Rules, 1961 - r.63.

(ii) Election petition - Verification - Defect in - Removal - Held: Defect in the verification in election petition can be removed in accordance with the principles of CPC, and it is not fatal to election petition.

Smt. Neena Vikram Verma v. Balmukund Singh Gautam & Ors. 845

EVIDENCE ACT, 1872:

(1) s.113B - Presumption as to dowry death - Discussed - Penal Code, 1860 - s.304B.

Kulwant Singh & Ors. v. State of Punjab 604

(2) s.114-A.

(See under: Penal Code, 1860) 831

JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000:

ss.6, 15, 16, 18, 19, 20, 29 and 37 - Applicability of the Act - Held: The Act being a special Act, has an overriding effect on any other statute - In the instant case, in Court Martial proceedings, plea of juvenility was not raised at initial stage, therefore, not applicable - Army Rules, 1951 - r.51.

(Also See under: Army Act, 1950)

Union of India & Ors. v. Ex-GNR Ajeet Singh 620

KERALA PRESERVATION OF TREES ACT, 1986:

ss.2(e), 4 and 5 - Notification u/s.5 providing total prohibition of cutting of trees - Plea that forest in question, being not a 'Private Forest' within meaning of s.2(f)(1)(i) of Kerala Private Forests (Vesting and Assignment) Act, 1971, could not be brought under purview of Notification u/s.5 of Preservation of Trees Act - Held: Explanation-II u/s.5 of Preservation of Trees Act is a piece of legislation by reference - Therefore, definition of 'Private Forest' under Vesting and Assignment Act is to be taken for 'Private Forest' u/s.5 of Preservation of Trees Act - The forests in question were covered by Madras Preservation of Private Forests Act, 1949 - Since the definition of 'Private Forest' u/s.2(f)(1)(i) excludes the forests on which Madras Preservation of Private Forests Act was applicable, the forests in question would not be covered u/s.2(f)(1)(i) of Vesting and Assignment Act and consequently would also not be covered under the provisions of Preservation of Trees Act, and, as such, cannot be notified u/s.5 of Preservation of Trees Act - However, the trees specified u/s.2(e) of Preservation of Forest Act would not fall outside the purview of s.4, whereby no tree or its branch would be cut without previous permission (in writing), of authorized officer - Kerala Private Forests (Vesting and Assignment) Act, 1971 - s.2(f)(1)(i) - Madras Preservation of Private Forests Act, 1949.

State of Kerala v. Abdul Ali

..... 799

KERALA PRIVATE FORESTS (VESTING AND ASSIGNMENT) ACT, 1971:

s.2(f)(1)(i).

(See under: Kerala Preservation of Trees Act, 1986)

..... 799

LABOUR LAW:

(i) Misconduct - Removal - Propriety - Appellant, workman and trade union leader, at an Atomic power project - Accident at the project due to heavy rains - Appellant wrote letter to Editor of a vernacular newspaper narrating about the incident and also highlighting serious lapses on the part of project authorities in regard to functioning of the project and the imminent danger to it - Removal of appellant - Held: Punishment imposed on the appellant was not disproportionate - Action of appellant was not merely to highlight shortcomings in the organization - He indulged in making scandalous remarks by alleging that there was widespread corruption within the organization - It had a deleterious effect throughout the organization apart from casting shadows of doubts on the integrity of the entire project - Conduct of appellant did not fall within the high moral and ethical standard required of a bona fide "whistle blower" - Employees working within the highly sensitive atomic organization are sworn to secrecy and have to enter into a confidentiality agreement - Appellant failed to maintain the standards of confidentiality and discretion as required - No injustice much less any grave injustice done to appellant.

(ii) Labour Law - Departmental enquiry - Admission by delinquent workman - Closure of enquiry proceedings - Removal - Plea for re-opening of enquiry - Rejected by Appellate as well as Revisional Authority - Held: Once the Enquiry Officer had declined to accept the conditional admission made by appellant-delinquent, it was open to him to deny the charges - But he chose to make an unequivocal admission, instead of reiterating his earlier denial as recorded in preliminary hearing - Extraordinary jurisdiction u/Art. 136 cannot be exercised for re-opening the entire issue at this stage - On facts, appellant failed to demonstrate any perversity in the decision rendered by High Court - He cannot now be permitted to resile from the admission made before Enquiry Officer - Constitution of India, 1950 - Art. 136.

(iii) Corruption - Prevention of - Informer - "Whistle blower" - Who is - Held: Every informer cannot automatically be said to be a bonafide "whistle blower" - "Whistle blower" would be a person who possesses the qualities of a crusader - His honesty, integrity and motivation should leave little or no room for doubt - Primary motivation for action of a person to be called a "whistle blower" should be to cleanse an organization - It should not be incidental or byproduct for an action taken for some ulterior or selfish motive - On facts, appellant-delinquent did not fulfill the criteria for being granted the status of a "whistle blower".

LAND ACQUISITION ACT, 1894:

(i) ss. 5-A and 6(1) - Violation of - Discrimination in release of acquired land - Lands owned by appellants and five similarly situated others acquired for one and the same purpose - State Government / HUDA released acquired lands of five others, by executing agreements with them, but did not accord similar treatment to appellants - Held: Not justified - Appellants were subjected to hostile discrimination - The solitary reason put forward by respondents for not releasing appellants' land, namely, that most of it was lying vacant was ex-facie erroneous - While ordering the issue of notification u/s.6(1), Chief Minister did not even advert to the objections filed by appellants and the report made by Land Acquisition Collector u/s.5-A(2) - Direction given by Chief Minister for issue of notification u/s.6(1) without considering the objections of appellants and other relevant factors was vitiated due to non-application of mind - Decision taken at the level of Chief Minister not in consonance with the scheme of s.5-A(2) r/w s.6(1) - State Government's refusal to release appellants' land resulted in violation of their right to equality granted u/Art. 14 of the Constitution - Constitution of India, 1950 - Art. 14.

(ii) Land Acquisition Act, 1894 - s.5-A(2) - Purpose and effect of - Opportunity to the objector - Obligation of Collector - Rule of audi alteram partem.

M/s. Usha Stud and Agricultural Farms Private Limited and others v. State of Haryana and Ors.

LEASE:
 (See under: Property Law) 674

MADRAS PRESERVATION OF PRIVATE FORESTS
 ACT, 1949:
 (See under: Kerala Preservation of Trees Act,
 1986) 799

MAXIMS:
 (1) Audi alteram partem.
 (See under: Land Acquisition Act, 1894) 645
 (2) (i) 'Ubi jus ibi idem remedium' - Applicability.
 (ii) 'Actus curiae neminem gravabit' - Applicability.
*Bhagwati Developers Private Ltd. v.
 The Peerless General Finance Investment
 Company Limited & Ors.* 708

MORTGAGE:
 Redemption - Permissibility - Land mortgaged -
 During subsistence of mortgage, land sold in
 auction by Revenue authorities for appropriation
 of agricultural income tax liabilities of mortgagor -
 Land was purchased by mortgagee - After about
 30 years, mortgagor filing suit for redemption -
 Held: Mortgagor not entitled to redemption - The
 sale of land in auction by Revenue authorities to
 mortgagee has extinguished the redemption rights
 of mortgagor - There was no obligation on the part
 of mortgagee to clear tax liability of mortgagor -
 Even under s.76(c) of Transfer of Property Act, the
 liabilities contemplated to be cleared by
 mortgagee, will not include Income tax liability of

an assessee - Transfer of Property Act, 1872 - s.
 76(c) - Trust Act 1882 - s.90.

*Rukmini Amma & Ors. v. Rajeswary (D)
 through LRs. & Ors.* 579

PENAL CODE, 1860:

(1) ss.147/149/449/436/302/395/396 -
 Assassination of Prime Minister of India -
 Communal riots - Violent mob attacks on Sikh
 community - Mob killed two persons and also looted
 their articles - Acquittal of accused-appellants -
 Reversal of acquittal by High Court - Held: Justified
 -The witnesses consistently deposed with regard
 to the offence committed by appellants and their
 evidence remained unshaken during their cross-
 examination - Mere marginal variation and
 contradiction in their statements not a ground to
 discard the testimony of the eye-witness who was
 none else but widow of one of the deceased -
 Further, relationship not a factor to affect credibility
 of a witness - Discovery of dead body of the victim
 not the only mode of proving the corpus delicti in
 murder.

(Also See under: Criminal Trial)

Lal Bahadur & Ors. v. State (NCT of Delhi) 744

(2) ss.304B and 498A - Death of married woman
 at the house of her in-laws due to poisoning -
 Conviction of husband and parents-in-law - Held:
 Justified - Evidence on record clearly indicates that
 deceased was subjected to harassment for dowry
 not only by husband but also by parents-in-law -

Deceased was harassed for dowry till almost immediately before her death - Presumption of dowry death can safely be drawn in the instant case - Evidence Act, 1872 - s.113B.

(ii) s.304B - Death of married woman at the house of her in-laws due to poisoning - Husband and parents-in-law convicted u/s.304B and sentenced to 7 years RI - Plea of parents-in-law for leniency in sentence considering their old age and physical disability - Rejected - Law prescribes a minimum of seven years imprisonment for offence u/s.304-B - No provision for reducing the sentence for any reason whatsoever nor has any exception being carved out in law - Even though appellants are now aged, they were responsible for the death through poisoning - Sentence / Sentencing.

Kulwant Singh & Ors. v. State of Punjab 604

(3) s.376(2)(b), (g) and 366 - Gang rape - Of student - By teachers - Conviction by courts below u/ss.376(2)(g) and 366 and sentence of 10 years RI and fine - Held: Accused rightly convicted - Since accused were public servants and prosecutrix being a student in their custody, provisions of s.376(2)(b) are also applicable - There being fiduciary relationship between accused and prosecutrix, provisions of s.114-A of Evidence Act are attracted - Thus, there is presumption against any consent by prosecutrix and accused have not rebutted that presumption - Considering the relationship between accused and prosecutrix, life imprisonment should have been proper punishment

- But as State has not come in appeal and SLP of another accused was dismissed, Court is not in a position to issue notice for enhancement of punishment - Evidence Act, 1872 - s.114-A.

(Also See under: Code of Criminal Procedure, 1973)

Mohan Lal & Anr. v. State of Punjab 831

PROPERTY LAW:

Lease - Renewal - Statutory right as provided u/s.5(2) of the 1976 Act - Exercise of - Scope - Burmah Shell, predecessor-in-interest of appellant-oil company, came in occupation of property on basis of lease deed - Held: In case renewal was claimed in terms of stipulation in the lease deed, in absence of a fresh deed of renewal, appellant's status became that of a month to month tenant - Lessor cannot be faulted for terminating the tenancy by a notice under TPA Act - The other possibility is that though in renewal notice dated October 17, 1979 there is no reference to s.5(2), renewal must be deemed to have taken place under that provision and by virtue of s.5(2), renewal clause of existing lease stood superseded - If that be the position, then appellant has already exercised and exhausted its right u/s.5(2) and there can be no question of a second renewal in terms of the statutory provision - Appellant cannot claim any further renewal of lease beyond February 28, 2005 - Burmah Shell (Acquisition of Undertakings in India) Act, 1976 - Transfer of Property Act, 1882.

Bharat Petroleum Corporation Limited v. Rama Chandrashekhar Vaidya and Anr. 674

REPRESENTATION OF THE PEOPLE ACT, 1951:

s.97.

(See under: Election Petition) 845

SENTENCE/SENTENCING:

(See under: Penal Code, 1860) 604

SERVICE LAW:

Selection - Procedure of - Challenge to - Waiver of right to objection - Held: Person who consciously takes part in the process of selection cannot, thereafter, turn around and question the method of selection and its outcome - On facts, private respondents having taken part in the process of selection with full knowledge that recruitment was being made under General Rules, they had waived their right to question the advertisement or the methodology adopted for making selection - Having appeared in written test and taken a chance to be declared successful, they will be deemed to have waived their right to challenge the advertisement and the procedure of selection - The conduct of the private respondents clearly disentitles them from seeking relief under Art.226 of the Constitution - Uttar Pradesh Medical Health and Family Welfare Department Physiotherapist and Occupational Therapist Service Rules, 1998 - Uttarakhand Procedure for Direct Recruitment for Group "C" Posts (Outside the purview of the Uttarakhand Public Service Commission) Rules, 2008 - Uttar Pradesh Procedure for Direct Recruitment for Group 'C' Posts (Outside the purview of the Uttar Pradesh Public Service Commission) Rules, 1998

- Doctrines - Doctrine of waiver.

Ramesh Chandra Shah and Ors. v. Anil Joshi and Ors. 687

SPECIFIC RELIEF ACT, 1877:

s.42.

(See under: Specific Relief Act, 1963) 814

SPECIFIC RELIEF ACT, 1963:

s.34, proviso - Suit filed by appellants for declaration of title to property without seeking consequential relief of possession - Maintainability - Held: Where defendant is not in physical possession, and not in a position to deliver possession to plaintiff, it is not necessary for plaintiff in a suit for declaration of title to property, to claim possession - However, in the instant case, respondent nos.3 to 10 were tenants, residing in the suit property and definitely in a position to deliver the possession - Respondent nos. 3 and 10 being admittedly in possession of the suit property, appellants/plaintiffs had to necessarily claim the consequential relief of possession of the property - Suit was not maintainable, as such a consequential relief was not claimed - To say that the appellants would be entitled to file independent proceedings for eviction of said respondents under a different statute, would amount to defeating the provisions of O. 2, r.2 CPC as well as the proviso to s.34 - Code of Civil Procedure, 1908 - O. 2, r.2 - Specific Relief Act 1877 - s.42.

(ii) s.34, proviso - Purpose of - Held: The very purpose of the proviso to s.34, is to avoid

multiplicity of proceedings, and also loss of revenue
of court fees.

Venkatarama & Ors. v. Vidyane Doureradjaperumal
(D) Thr.Lrs. & Ors. 814

TRANSFER OF PROPERTY ACT, 1882:

(1) s. 76(c).
(See under: Mortgage) 579
(2) (See under: Property Law) 674

TRUST ACT 1882:

s.90.
(See under: Mortgage) 579

UTTAR PRADESH MEDICAL HEALTH AND FAMILY
WELFARE DEPARTMENT PHYSIOTHERAPIST
AND OCCUPATIONAL THERAPIST SERVICE
RULES, 1998:

(See under: Service Law) 687

UTTAR PRADESH PROCEDURE FOR DIRECT
RECRUITMENT FOR GROUP 'C' POSTS
(OUTSIDE THE PURVIEW OF THE UTTAR
PRADESH PUBLIC SERVICE COMMISSION)
RULES, 1998:

(See under: Service Law) 687

UTTARAKHAND PROCEDURE FOR DIRECT
RECRUITMENT FOR GROUP "C" POSTS
(OUTSIDE THE PURVIEW OF THE
UTTARAKHAND PUBLIC SERVICE
COMMISSION) RULES, 2008:

(See under: Service Law) 687

WITNESSES:

(i) Protection of witnesses - It is duty of prosecution
and Investigating Officer to ensure that witnesses
are examined in such a manner that their statement
must be recorded at the earliest, and they should
be assured full protection, so as to prevent them
from being hostile.

(ii) Hostile witness - Evidentiary value of - Held:
Statement of hostile witness can also be examined
to the extent it supports the prosecution case.

(Also See under: Penal Code, 1860)

Mohan Lal & Anr. v. State of Punjab 831

WORDS AND PHRASES:

'Matter in issue' - Meaning of, in the context of s.10
CPC.

Aspi Jal & Anr. v. Khushroo Rustom
Dadyburjor 732