IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. OF 2026
(Arising out of Special Leave to Appeal (Crl.) No. 18612/2026)

RAMEELA W/O LATE MAHENDRA **APPELLANT(S)**

VERSUS

STATE OF RAJASTHAN & ANR. **RESPONDENT(S)**

O R D E R

1. Leave granted.

2. This appeal is at the instance of the *de facto* complainant-wife of the deceased being dissatisfied with the impugned judgment and order passed by the High Court dated 18.5.2026 in Criminal Appeal No. 253 of 2024, by which the High Court partly allowed the

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Date: 2026.11.06 17:22:22 IST
Reason:

criminal appeal preferred by the respondent no.2 (original accused) before us by altering the conviction for the offence punishable under Section 302 of the Indian Penal Code, 1860 (for short "the IPC") to Section 304 Part II of the IPC.

3. To put it briefly, the respondent-accused was put to trial in the Court of Special Judge, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act in Special Case No. 50 of 2021 for the offence punishable under Section 302 of the IPC and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, respectively.

4. It is the case of the prosecution that, on the date of the incident, the respondent-accused armed with a knife, came at the house of the deceased and picked up an altercation. In the course of the altercation, the respondent-accused is alleged to have inflicted stab wounds on the deceased.

5. The deceased was immediately shifted to the hospital and he succumbed to the injuries after a period of 16 days while he was undergoing treatment in the hospital.

6. There are eyewitnesses to the incident.

7. The Trial Court at the end of the trial held the respondent-accused guilty of the alleged crime and convicted him for murder. The respondent-accused was sentenced to undergo life imprisonment with fine.

8. The respondent-accused being dissatisfied, with the judgment and order of conviction passed by the Trial Court, went in appeal before the High Court. The High Court took the view that since the deceased succumbed to the stab injuries after a period of 16 days, the same would be indicative of the fact that the respondent-accused had no intention to cause death of the deceased. To put it in another words, the judgment of the High Court could also be understood trying to convey that the cause of death

as assigned in the post-mortem is septicemia and septicemia cannot be said to be the direct result of the injuries suffered by the deceased at the time of assault.

9. The wife of the deceased-original complainant being dissatisfied with the impugned judgment and order passed by the High Court is here before us with the present appeal.

10. We heard the learned counsel appearing for the parties.

11. The short point for our consideration is whether the High Court was justified in altering the conviction from Section 302 to Section 304 Part II of the IPC?

12. We are of the view that the High Court committed an egregious error in passing the impugned judgment and order altering the conviction. The issue in question has been settled by this Court in its decision in *Maniklal Sahu vs. State of Chhattisgarh*

reported in 2025 SCC OnLine SC 1960.

13. The paragraph no. 69 of *Maniklal Sahu* (supra) reads thus:-

> ***"69. We may highlight few broad principles that the courts must keep in mind.***
>
> ***a. If it is proved that the injury was fatal and the intention was to cause death, though the death occurred after several days of septicaemia or other complications having supervened, yet it is undoubtedly a murder as it falls within the first limb of Section 300 of the IPC.***
>
> ***b. If it is proved that the injuries by themselves were sufficient to cause death in the ordinary course of nature, and if it is established that those injuries were the intended injuries, though the death might have occurred after septicaemia or other complications had supervened, yet the act of the accused would squarely fall under the third limb of Section 300 of the IPC and the accused is therefore liable to be punished under Section 302 of the IPC.***
>
> ***c. If it is proved that the injuries were imminently dangerous to life, though the death had occurred after septicaemia or other complications had supervened, yet the act of the accused would squarely fall under the fourth limb of Section 300 of the IPC, provided, the other requirements like knowledge on the part of the accused, etc. are satisfied and so the accused***

would be liable to be punished under Section 302 of the IPC. Here also, the primary cause of the death is the injuries and septicaemia.

d. In judging whether the injuries inflicted were sufficient in the ordinary course of nature to cause death, the possibility that skilful and efficient medical treatment might prevent the fatal result is wholly irrelevant.

e. If the supervening causes are attributable to the injuries caused, then the person inflicting the injuries is liable for causing death, even if death was not the direct result of the injuries.

f. Broadly speaking, the courts would have to undertake the exercise to distinguish between two types of cases; first, where the intervening cause of death, like peritonitis, is only a remote and a rather improbable consequence of the injury; then it can be said that the injury is one which may, in particular circumstances, result in death, but which may not in ordinary course of nature be likely to lead to it. Secondly, where the complication which is the intervening cause of death is itself a practically inevitable sequence to the injury. In that event, the probability is very high indeed, amounting to practical certainty i.e., death is a result in due course of natural events. A deep abdominal thrust with a knife followed by injury to the internal organs is practically certain to result in acute peritonitis causing death. It is clearly a case of murder under

Section 302 and not merely of culpable homicide.

g. Even when the medical evidence does not say that any one of the injuries on the body of the deceased was sufficient to cause death in the ordinary course of nature, yet it is open to the Court to look into the nature of the injuries found on the body of the deceased and infer from them that the assailants intended to cause death of the deceased. If none of the injuries alone were sufficient in the ordinary course of nature to cause the death of the deceased, cumulatively, they may be sufficient in the ordinary course of nature to cause his death.

h. What the courts must see is whether the injuries were sufficient in the ordinary course of nature to cause death, or to cause such bodily injuries as the accused knew to be likely to cause death although death was ultimately due to supervention of some other cause. An intervening cause or complication is by itself not of such significance. What is significant is whether death was only a remote possibility, or is one which would have occurred in due course.

i. To sum it up, where death is delayed due to later complications or developments, the courts should consider the nature of the injury, complications or the attending circumstances. If the complications or developments are the natural, or probable, or necessary consequence of the injury, and if it is reasonably contemplated as its result, the

injury could be said to have caused death. If on the other hand, the chain of consequences is broken, or if there is unexpected complication causing new mischief, the relation of cause and effect is not established, or the causal connection is too remote then the injury cannot be said to have caused death. If the original injury itself is of a fatal nature, it makes no difference that death is actually caused by a complication naturally flowing from the injury and not the injury itself, since causal connection is proximate."

14. Thus, it goes without saying that if the cause of death was septicemia, the same was a result of nothing but the stab wounds that the deceased suffered at the hands of the respondent-accused.

15. The cause of death could be said to be the direct result of the injuries suffered by the deceased and, therefore, it is a case of murder punishable under Section 302 of the IPC.

16. In view of the aforesaid, the appeal succeeds and is hereby allowed. The judgment and order of the High Court is set aside. The original judgment and

order of conviction and sentence passed by the Trial Court is restored.

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

.....J.
[J.B. PARDIWALA]

.....J.
[MANMOHAN]

New Delhi
05th November, 2026.

ITEM NO.38 COURT NO.6 SECTION II-D

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

Petition for Special Leave to Appeal (Crl.) No.18612/2026

[Arising out of impugned final judgment and order dated 18-05-2026 in DBCRLADB No. 253/2024 passed by the High Court of Judicature for Rajasthan at Jodhpur]

RAMEELA W/O LATE MAHENDRA Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ANR. Respondent(s)

Date : 05-11-2026 This petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) : Mr. Bhushan Mahendra Oza- 3763, AOR
Mr. Amber Dwivedi, Adv.
Mr. Kuldeep Sharma, Adv.

For Respondent(s) : Mr. Sansriti Pathak, A.A.G.
Mr. Saurabh Rajpal- 3577, AOR
Ms. Shagufa Khan, Adv.

Mr. Diggaj Pathak- 2343, AOR
Ms. Shweta Sharma, Adv.
Ms. Trishita Bera, Adv.
Ms. Vaibhavi Pathak, Adv.

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

1. Leave granted.

2. The appeal is allowed in terms of the signed order.

3. The relevant part of the order is as under:-

"16…...the appeal succeeds and is hereby allowed. The judgment and order of the High Court is set aside. The original judgment and order of conviction and sentence passed by the Trial Court is restored."

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

(CHANDRESH) (POOJA SHARMA)
ASTT. REGISTRAR-cum-PS COURT MASTER (NSH)
(Signed order is placed on the file)