

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

S.L.P.(Criminal) No.5631 of 2018
(@ out of SLP(Cr1.)D.No.18436/2015)

LALIT YADAV

VS.

THE STATE OF CHHATTISGARH

... APPELLANT(S)

... RESPONDENT(S)

O R D E R

Delay condoned.

1. The petitioner was convicted under Sections 376 IPC and Section 342 IPC and sentenced to substantive sentences of seven years and one year respectively. His conviction and sentence has been affirmed by the High Court by dismissing present appeal. We do not see any reason to upset the orders of conviction and sentence and as such this petition stands dismissed.

2. We, however, notice from the judgments of both, the trial court and the High Court that the victim in the present case who was examined as PW2 has been named all through. Such a course is not consistent with Section 228-A of IPC though the explanation makes an exception in favour of the judgments of the superior court. Nonetheless, every attempt should be made by all the courts not to disclose the identity of the victim in terms of said Section 228-A IPC. It has been so laid down by this Court

in *State of Punjab v. Ramdev Singh* reported in (2004)1 SCC 421.

3. While dismissing the present matter, we direct the Registry of the High Court to place the record of the appeal in the High Court before the learned Judge for causing appropriate changes in the record including passing appropriate practice directions so that the trial courts in the State comply with the mandate and spirit of Section 228-A IPC.

.....J.
[ABHAY MANOHAR SAPRE]

.....J.
[UDAY UMESH LALIT]

New Delhi;
July 5, 2018.