REPORTABLE

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

KALI RAM V. STATE OF HIMACHAL PRADESH (1973)

BENCH: Mr. Justice H.R. Khanna, Mr. Justice A. Alagiriswami & Mr. Justice R.S. Sarkaria

DECIDED: October 29, 1973

RATIO DECIDENDI & PRECEDENTIAL CRUX:

Presumption of innocence is a golden thread of criminal jurisprudence; if two views are reasonably possible, the view favouring the accused must prevail.

1. Factual Matrix & Background:

The appellant was convicted of double murder based on circumstantial evidence and alleged confessions. The High Court upheld the conviction. The Supreme Court re-evaluated the evidence to determine whether guilt was established beyond all reasonable doubt.

2. Substantive Legal Questions Framed:

What is the standard of proof required in criminal trials, and how must courts resolve situations where two views of the evidence are reasonably possible.

3. Analysis & Ratio Decidendi:

The Supreme Court three-judge bench delivered one of the most celebrated pronouncements in Indian criminal jurisprudence. Justice H.R. Khanna affirmed that the golden thread running through the web of criminal law is that an accused is presumed innocent until proven guilty beyond reasonable doubt. If two reasonable views of the evidence are possible—one pointing to guilt and the other to innocence—the view favouring the accused must be adopted.

4. Principles Enunciated:

- 1. Presumption of innocence remains intact until guilt is proved beyond reasonable doubt.
- 2. The burden of proving guilt lies squarely on the prosecution and never shifts.
- 3. If two reasonable views emerge from the evidence, the court must acquit the accused.

5. Practical Litigation Implications:

- Argue the Kali Ram doctrine whenever the prosecution case rests on ambivalent or contradictory testimonies, establishing that a plausible innocent interpretation exists.

.....J.
[SUPREME COURT BENCH]