
FROM LAPSES TO LESSONS: EVALUATING EVIDENTIARY STANDARDS AND INVESTIGATIVE LAPSES IN CHILD-CENTRIC CRIME - A CASE ANALYSIS OF *PUTAI V. STATE OF UTTAR PRADESH (2025 INSC 1042)*

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ABSTRACT

This comprehensive analysis of the Supreme Court's judgment in *Putai v. State of Uttar Pradesh (2025 INSC 1042)*¹, a case concerning the brutal sexual assault and murder of a 12-year-old minor girl. The prosecution's case rested solely on circumstantial evidence, which, upon judicial scrutiny, revealed serious procedural and evidentiary deficiencies including an inconclusive primary DNA report, a supplementary DNA report that was neither put to the accused during their examination under Section-313 of the CRPC² nor supported by expert testimony, lapses in maintaining the chain of custody through evidence gathering, and unreliable dog squad tracking without proper records or corroboration. Despite the gravity of the offence, the Supreme Court underscored that suspicion, however strong, cannot substitute proof beyond reasonable doubt, leading to the acquittal of both appellants.

Notably, the Bench demonstrated a sensitive and considerate approach towards the minor victim, emphasizing that justice in such cases demands scientifically sound, timely, and procedurally flawless investigations, particularly under the framework of the POCSO Act³. The judgment highlights the dual necessity of upholding due process while ensuring justice for vulnerable victims, serving as a pivotal precedent for future prosecutions. It further calls for systemic reforms in forensic evidence handling, chain of custody protocols, and specialized training for investigators and prosecutors to ensure that convictions in heinous crimes are legally tenable and procedurally beyond reproach.

¹ Putai v. State of Uttar Pradesh (2025 INSC 1042)

² Code Of Criminal Procedure 1973 S-313

³ Prevention of Children From Sexual Offences Act (POCSO) 2012

1. FACTS:

The fact in the nutshell is that On the evening of 4 September 2012, a 12-year-old minor girl, Mst.S⁴, the daughter of Munna (PW-1) and Chandravati (PW-2), went out of her house to attend the call of nature but never returned. Her family and neighbours searched for her throughout the night but were unable to find her. The following morning, on 5 September 2012, her slippers, a water canister, her underwear, and bloodstains were discovered in the field of Bhaktisharan, which was under the cultivation of accused No. 1, Putai. The victims naked body was later found in the adjacent field belonging to Harikrishna Sharma. At around 8:30 a.m, Munna lodged a written complaint at Police Station Mohanlalganj in Lucknow, leading to the registration of Case Crime No:318 of 2012⁵ under Sections 302, 201, and 376⁶ of the Indian Penal Code. Sub-Inspector Narad Muni Singh (PW-9) was assigned to investigate the case. He inspected the scene, prepared a rough site map, and seized several items including blood-stained soil, blood-stained grass, a pair of pink hawaai chappals, a blue undergarment, a water canister, a sky-blue frock, and a small male comb, sealing them in separate packets. A dog squad was called, and according to the prosecution, the sniffer dog, after smelling the comb, led the police to the house of accused No.2, Dileep. An inquest report was prepared, and the body was sent for post mortem to King George Medical College(KGMC), Lucknow, where a medical board consisting of Dr. Geeta Chaudhary(PW-7), Dr. Akhilesh Chandra(PW-8), and Dr.Anant Prakash Mishra conducted the autopsy. The report revealed nine ante-mortem injuries, including injuries to her private parts, and concluded that the cause of death was asphyxia due to strangulation. On 7 September 2012, both accused, Putai and Dileep, were arrested, though their arrest memos were not exhibited during the trial. On 26 November 2012, under court orders, their blood samples were collected for DNA comparison. The first DNA report, issued on 18 January 2014, was inconclusive. After completing the investigation, a charge sheet was filed against both accused under Sections 376(2)(g)⁷, 201, and 302 of the IPC. The case, being triable by a sessions court, was committed to the Court of the Additional Sessions Judge, Court No. 13, Lucknow⁸. During the trial, the prosecution examined 12 witnesses, presented 17 documents and five material exhibits, while the defense examined three witnesses. The trial court, through its judgment dated 14 March 2014 and sentencing order dated 19 March 2014,

⁴ Mst.S, Minor child referred to as minor victim

⁵ Preliminary complaint filed by victim's father

⁶ Indian Penal Code 1860 S-302, 201, and 376

⁷ Indian Penal Code 1860 S-376(2)(g)-Repealed by 2013 Amendment

⁸ Additional Sessions Judge, Court No. 13, Lucknow

convicted both accused. Putai was sentenced to life imprisonment under Section 376(2)(g), seven years of rigorous imprisonment under Section 201, and death punishment under Section 302. Dileep was sentenced to life imprisonment under Sections 376(2)(g) and 302, and seven years of rigorous imprisonment under Section 201. The death sentence of Putai was referred to the Allahabad High Court for confirmation under Section 366 of the Code of Criminal Procedure⁹, and both accused filed separate appeals. On 11 October 2018, the High Court confirmed the death sentence of Putai and dismissed the appeals. Aggrieved by this decision, the accused approached the Supreme Court of India by filing special leave appeals.

2. PROCEDURAL HISTORY:

1. Trial Court, Lucknow

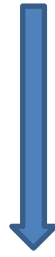
Date of Judgment	Accused	Sentence pronounced by court of sessions, Lucknow
14,19 th Mar 2014	Putai (A-1)	Life imprisonment under Sec-376(2)(g) of IPC, 7 years RI under Sec-201) IPC, Death sentence under(Sec-302)IPC.
	Dileep (A-2)	Life imprisonment under Sec-376(2)(g) IPC, 7 years RI under Sec- 201) IPC, RI under sec-302 of IPC.



2. High Court of Allahabad

Date of Judgment	Accused	Sentence Affirmed by High Court Of Allahabad
11 Oct 2018	Accused No: 1	Death penalty was confirmed
	Accused No: 2	Appeal was dismissed and conviction was affirmed

⁹ Code Of Criminal Procedure 1973 S-366



3. Supreme Court of India

Date of Judgment	Accused	Sentence set aside by Hon'ble Supreme Court Of India
26 Aug 2025	Accused No: 1	Acquitted of all charges, previous convictions and sentences were set aside
	Accused No:2	Acquitted of all charges, previous convictions and sentences were set aside

3. ARGUMENTS ADVANCED BY ACCUSED PUTAI (ACCUSED NO-1):

The counsel for the appellant Putai, argued that the conviction recorded by the Trial Court and upheld by the High Court could not withstand, as the prosecution's case was built entirely on unreliable circumstantial evidence. It was submitted that there was no direct witness or credible evidence linking him to the crime and that the chain of circumstances relied upon by the prosecution was incomplete and inconsistent, failing to establish guilt beyond a reasonable doubt. The counsel emphasized that the DNA evidence was unreliable, pointing out that the first DNA report, dated 18 January 2014, was inconclusive and, therefore, could not form the basis of a conviction. The supplementary DNA report, dated 2 December 2014, which allegedly implicated Putai, was never put to him during his examination under Section-313 of the Code of Criminal Procedure¹⁰, thereby violating his right to a fair trial. Moreover, the expert who prepared this report was never examined in court, rendering the report inadmissible and legally unreliable.

The defence further contended that the prosecution had failed to establish a secure and unbroken chain of custody for the seized articles, including the victim's clothing, which raised a serious possibility of tampering or contamination of evidence and undermined the credibility of the forensic results. The counsel also rejected the claim that Putai's alleged

¹⁰ Ibid Note 2

suspicious conduct, such as washing his hands and changing his clothes after the incident, could be treated as incriminating evidence, calling it vague, uncorroborated, and legally insufficient. It was also argued that the alleged recovery of the victim's underwear from Putai's field was not genuine but a planted recovery by the police to falsely implicate him. Highlighting significant investigative lapses, the counsel contended that the investigating officers had failed to search accused residence for recovery of evidences, examine independent witnesses from nearby fields, or send key seized articles for timely forensic analysis. These procedural failures, according to the defence, severely weakened the reliability of the prosecution's case. Finally, the counsel submitted that the inconsistencies in the investigation and lack of conclusive evidence entitled the appellant to the benefit of doubt, warranting acquittal.

4. ARGUMENTS ADVANCED BY ACCUSED DILEEP (ACCUSED NO-2):

The counsel for the appellant Dileep, argued that the conviction against him was equally unsustainable. It was submitted that the prosecution's case against Dileep also rested entirely on circumstantial evidence, with no direct link to the crime. The counsel argued that the chain of circumstances was incomplete and insufficient to point unerringly towards his guilt. A major contention was raised against the dog squad evidence, where the prosecution claimed that a sniffer dog, after sniffing a comb recovered from the scene of occurrence, led the police to Dileep's residence. The defence maintained that there was no contemporaneous documentation, official records, or independent witnesses to corroborate this claim, making such evidence unreliable and inadmissible in law.

The counsel further argued that there was no credible forensic evidence linking Dileep to the crime, as the prosecution failed to maintain a secure chain of custody of the seized samples, leaving open the possibility of tampering or contamination. They asserted that the comb allegedly linked to Dileep was a planted piece of evidence, introduced by the investigating agency without any independent corroboration. In addition, the defence highlighted serious lapses in the investigation, including the failure to search Dileep's house, the omission to examine nearby witnesses, and delays in sending key exhibits for forensic analysis. On These shortcomings it was argued, which significantly undermined the integrity of the investigation and the credibility of the prosecution's case. Concluding the arguments, the counsel submitted that the absence of reliable evidence and glaring procedural lapses entitled Dileep to an acquittal under the well-settled principle of benefit of doubt to be given to the accused.

5. ARGUMENTS ADVANCED BY PROSECUTION (STATE OF UP):

The prosecution, representing the State of Uttar Pradesh, argued that the convictions of Putai and Dileep were supported by a consistent chain of circumstantial evidence establishing their guilt beyond reasonable doubt. It emphasized the recovery of the victim's slippers, water canister, underwear, and bloodstains from Putai's field, along with the discovery of victims denuded body in a nearby field, as clear indicators of the accused's presence at the crime scene. The postmortem report, noting nine ante-mortem injuries including sexual assault and death due to strangulation, further corroborated the prosecution's case.

The State highlighted the DNA evidence, asserting that the supplementary report conclusively matched the biological samples of the accused with those recovered from the victim, and argued that minor procedural lapses such as non-examination of the DNA expert or omission of the report in the Section-313 CRPC¹¹ examination did not undermine its evidentiary value. It also defended the dog squad evidence as a corroborative link and pointed to the accused's suspicious conduct, including Putai washing his hands and changing clothes, as indicative of guilt. Lastly, the prosecution maintained that the investigation, though not perfect, was fair and thorough, warranting affirmation of the trial court and high court findings.

6. SUPREME COURTS REASONING:

The Supreme Court undertook a careful and detailed scrutiny of the entire record and found that the prosecution's case rested entirely on circumstantial evidence. Reiterating settled principles of criminal law, the Bench observed that in cases based solely on circumstances, the evidence must form a complete, consistent, and unbroken chain pointing unerringly to the guilt of the accused while ruling out every other reasonable hypothesis. On this test, the Court found the prosecution's case seriously deficient, rendering the conviction of both appellants unsafe.

A key weakness noted by the Court was in the DNA evidence, The initial DNA report dated 18 January 2014 was admittedly inconclusive, and therefore, incapable of forming the basis of a conviction. The supplementary DNA report dated 2 December 2014, which was heavily relied upon by the prosecution, suffered from serious procedural lapses. It was never put to

¹¹ Supra Note 10

the appellants during their examination under Section-313 of the Code of Criminal Procedure, thereby depriving them of the opportunity to explain or contest the incriminating findings. This, the Court held, was a grave violation of the settled principles in criminal jurisprudence. Additionally, the DNA expert who authored the supplementary report was not examined in court, leaving the findings untested through cross-examination. In such a scenario, the Bench concluded that the DNA report could not be treated as reliable and admissible evidence for convicting the appellants.

The Court also found the chain of custody of material evidence to be seriously compromised. The prosecution failed to demonstrate that biological samples, clothing, and other seized articles were preserved, sealed, and transported under secure conditions. The lack of documentation to confirm an unbroken chain opened up the real possibility of contamination or tampering, fatally undermining the evidentiary value of the scientific material relied upon by the prosecution.

Another significant aspect of the Court's reasoning related to the dog squad evidence. The prosecution had argued that the sniffer dog, after sniffing a comb recovered from the scene, led investigators to the residence of appellant Dileep. The Court, however, noted that there were no contemporaneous records, photographs, videos, or independent witnesses to corroborate this claim. In the absence of reliable corroboration, the dog squad evidence could not be given weight in law and was held to be an inherently weak link in the prosecution's chain.

The Bench further observed that the prosecution's reliance on the alleged suspicious conduct of the appellants such as Putai washing his hands and changing his clothes, or Dileep exhibiting unusual behavior was vague and unsubstantiated. The Court stressed that such general and uncorroborated claims could not substitute for solid evidence, particularly in a case of such serious nature.

Equally problematic were the recoveries made during the investigation. The Court expressed doubt over the recovery of the victim's underwear from the field of appellant Putai and the recovery of the comb allegedly linked to Dileep. The absence of independent witnesses, inadequate documentation, and lapses in procedure led the Court to treat these recoveries as unreliable and incapable of strengthening the prosecution's case.

In a strongly worded observation, the Supreme Court described the investigation as **“lackluster and shabby investigation”**¹² The Court criticized the investigating team for failing to follow basic investigative protocols. Key lapses included not searching the residences of the accused, not examining independent witnesses from nearby fields, and delaying the forwarding of material exhibits for forensic analysis. Such lapses, the Bench emphasized, were not minor irregularities but **fundamental defects** that seriously undermined the credibility of the investigation and, by extension the prosecution’s case.

Reaffirming the principle of benefit of doubt, the Court reiterated that suspicion, however grave, cannot replace proof beyond reasonable doubt. Given the gaps and inconsistencies in the prosecution’s evidence, the Bench held that the guilt of the appellants had not been proved to the standard required under criminal law.

In conclusion, the Supreme Court held that the prosecution failed to establish a complete and cogent chain of circumstances to sustain the conviction of either appellant. Accordingly, the Court set aside the judgments of the Trial Court and the High Court, and both Putai and Dileep were acquitted of all charges. The Bench observed that this case was a reminder of the critical importance of thorough, fair, and scientifically sound investigations, especially in cases involving heinous crimes such as sexual assault and murder of minor child.

7. FUTURE RELEVANCE:

While setting aside the convictions of the accused, the Supreme Court in *Putai v. State of Uttar Pradesh* displayed clear and conscious empathy towards the minor victim, a 12-year old child who suffered brutal sexual assault and murder. The Bench acknowledged the grave and inhuman nature of the crime, recognizing the deep trauma and injustice faced by the child and her family. The Court’s observations reflected a sensitive and humane approach, ensuring that the innocence and vulnerability of the victim were not overshadowed by the legal deficiencies in the prosecution’s case.

The judgment conveys that the acquittal of the appellants does not dilute the seriousness of the crime, but rather highlights the imperative of adhering to due process to ensure true justice. The Court implicitly emphasized that justice for a minor victim is not achieved

¹² Strongly worded by supreme court

merely through conviction, but through a process that is fair, evidence-based, and beyond reproach, so that no room for error or miscarriage of justice exists.

By highlighting the **"lackluster and shabby investigation"**¹³, the Bench demonstrated empathy by pointing out that such investigative failures denied the minor victim and her family the justice they deserved. The judgment serves as a stern reminder to investigative agencies and prosecuting authorities of their duty to handle cases involving children with greater sensitivity, professionalism, and urgency.

Moreover, the Court's reasoning reflects a victim-centric approach, stressing the importance of scientifically sound, unbiased, and timely investigation in crimes against children. While acquitting the accused due to evidentiary lapses, the Bench implicitly conveyed that the system must evolve to ensure that the innocence of minor victims is honored by securing convictions that are legally sustainable and procedurally flawless.

This empathetic stance resonates with the broader objectives of child protection laws in India, including the POCSO Act¹⁴, and signals to future courts and investigators that cases involving minors demand heightened care, precision, and sensitivity at every stage of the criminal justice process.

8. STANDARDS OF PROOFS TO BE APPLIED IN FUTURE PROCEEDINGS:

In future cases, the prosecution must ensure a methodical, professional, and legally sound approach to prevent investigative gaps like those criticized in *Putai v. State of Uttar Pradesh*¹⁵. First, the collection of evidence must be meticulous securing the crime scene immediately, collecting biological and physical materials carefully, and sealing and labeling every item to avoid contamination. Second, the chain of custody must be maintained without interruption, with detailed records of who handled each piece of evidence to eliminate any possibility of tampering. Third, forensic science should be utilized effectively by sending samples for prompt testing and presenting expert witnesses in court to explain the results clearly. Fourth, during the Section-313 CRPC¹⁶ examination, all incriminating evidence must be put to the accused, ensuring their right to respond and strengthening the evidentiary value

¹³ Ibid Note 12

¹⁴ Ibid Note 3

¹⁵ Ibid Note 1

¹⁶ Supra Note 11

during trial. Fifth, the investigation must be thorough, involving timely searches of suspect premises, proper documentation of recoveries, and statements from independent witnesses to provide corroboration. Sixth, in cases involving minors, a child-sensitive approach is essential, adhering to the POCSO Act protocols and ensuring dignity and fairness for the victim throughout the process. Seventh, documentation and transparency must be prioritized by maintaining logs, photographs, and videos of every investigative step, ensuring clarity during judicial scrutiny. Eighth, there must be coordination with experts, including forensic specialists, psychologists, and trained child officers, from the very beginning of the investigation. Finally, regular training for police officers and prosecutors on forensic handling, evidence law, and victim-sensitive procedures is crucial to ensure that future prosecutions are not only strong and credible but also meet the highest standards of due process.

9. CONCLUSION:

The judgment in *Putai v. State of Uttar Pradesh*¹⁷ stands as a landmark reminder that criminal justice must strike a careful balance between delivering justice to victims, particularly minors, and upholding the constitutional rights of the accused. The Supreme Court, while empathetic to the brutal nature of the crime involving a 12-year-old tender child, reinforced that convictions cannot rest on suspicion, incomplete chains of circumstances, or procedurally flawed evidence. By setting aside the conviction due to a “lackluster and shabby” investigation, the Court emphasized that a fair, thorough, and scientific approach is indispensable to sustaining convictions in serious offences, especially those involving sexual violence and minors.

This decision highlights the urgent need for systemic reforms in investigation and prosecution, including maintaining the integrity of forensic evidence, strict adherence to procedural safeguards, and child-sensitive protocols as mandated under laws like the POCSO Act 2012. It also reinforces the principle that due process is not an obstacle to justice but a pathway to ensuring its credibility and fairness. Moving forward, this judgment will serve as a guiding precedent for trial courts, investigative agencies, and policy makers, driving home the message that justice in cases involving minors must be achieved through rigorous evidence, procedural integrity, and unwavering commitment to the rule of law.

¹⁷ Supra Note 15