

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 2057 OF 2017
(Arising out of SLP (Criminal) No. 5331 of 2017)

NARENDRA

Appellant

VERSUS

THE STATE OF RAJASTHAN

Respondent

O R D E R

Leave granted.

The appellant herein was convicted by the trial Court under Section 323 of the Indian Penal Code (IPC) and sentenced him to undergo Simple Imprisonment of one year and to pay a fine of Rs.500/- and in default thereof to further undergo Simple Imprisonment for one month and also convicted him for offence punishable under Section 307 of the IPC and sentenced him to undergo Rigorous Imprisonment for seven years and to pay a fine of Rs.50,500/- and in default thereof to further suffer Simple Imprisonment for six months. Both the sentences were ordered to run concurrently.

The appeal of the appellant was partly allowed by the High Court. By the impugned order, the order of the trial Court to the extent of offence under Section 323 IPC was quashed and set aside but the conviction and sentence of the appellant for offence under Section 307 IPC was upheld.

Notice was issued in the instant matter limited to the quantum of sentence.

The appellant has already undergone more than 4 years of imprisonment out of seven years of sentence as awarded by the trial Court and upheld by the High Court. In the facts and circumstances of the case, we are of the view that the sentence can be reduced to the sentence already undergone. Ordered accordingly. The appellant shall be released from jail forthwith if not wanted in any other case.

The appeal stands disposed of.

....., J.
[A.K. SIKRI]

....., J.
[ASHOK BHUSHAN]

New Delhi;
December 01, 2017.

ITEM NO.49

COURT NO.5

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 5331/2017

(Arising out of impugned final judgment and order dated 10-04-2017 in SBCRLA No. 1565/2016 passed by the High Court of Judicature for Rajasthan at Jaipur)

NARENDRA

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN

Respondent(s)

(With IA No.59777/2017-EXEMPTION FROM FILING O.T.)

Date : 01-12-2017 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Mr. Manish Kumar, Adv.
Ms. Snehla Chaudhary, Adv.
Md. Anas Chaudhary, Adv.
Mr. Subart, Adv.
Mr. Ansar Ahmad Chaudhary, AOR

For Respondent(s)

Mr. Kunal Verma, Adv.
Ms. Yugandhara Pawar Jha, Adv.
Mr. Piyush Bhardwaj, Adv.
Mr. Milind Kumar, AOR

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

Leave granted.

The appeal stands disposed of in terms of the signed order.

(NIDHI AHUJA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER

[Signed order is placed on the file.]