

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(s). 879/2015

(Arising out of impugned final judgment and order dated 23-05-2014 in CRLA No. 2108/1988 passed by the High Court Of Judicature At Allahabad)

BHARTU & ANR.

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH

Respondent(s)

(and IA No.72512/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS and IA No.72515/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 25-10-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Sanchar Anand,Adv.
Mr. Devendra Singh, AOR

For Respondent(s) Mr. Ardhendumauli Kumar Prasad,Adv.

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

Leave granted only qua Kunwarpal, Appellant No. 3.

Heard learned counsel for the parties and also perused the record.

The appeal is allowed in terms of the signed order.

The special leave petition is dismissed qua petitioner no. 1 - Bhartu S/o Ghasi is concerned.

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

(MADHU BALA)
COURT MASTER (SH)
(Signed order is placed on the file)

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1830 OF 2017

(@ SPECIAL LEAVE PETITION (CRL.)NO. 879 OF 2015)

BHARTU & ANR.

...APPELLANT(S)

VERSUS

STATE OF UTTAR PRADESH

...RESPONDENT(S)

O R D E R

Leave granted only qua Kunwarpal, Appellant
No. 3.

Heard learned counsel for the parties and also
perused the record.

We are satisfied that the conviction of the
appellant - Kunwarpal S/o Bhartu ought to be under
Section 304 Part-II of the Indian Penal Code, 1860.
Accordingly, his conviction is modified and he is
convicted under Section 304 Part-II IPC. His sentence
is reduced to R.I. for seven years. His conviction
under all other provisions and sentence as awarded in
the impugned order will remain unaltered and run
concurrently.

The appeal is allowed in above terms.

.....J.
[ADARSH KUMAR GOEL]

NEW DELHI
25th October, 2017

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