

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). 548/2013

(Arising out of impugned final judgment and order dated 23/06/2011  
in CRLA No. 664/2010 passed by the High Court of Bombay)

RAMESHWAR

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA

Respondent(s)

(with appln. (s) for bail and interim relief and office report)

Date : 27/02/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Rishi Malhotra, AOR

For Respondent(s) Mr. Nishant Ramakantrao Katneshwarkar, AOR  
Mr. Arpit Rai, Adv.

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.

(Gulshan Kumar Arora)  
Court Master

(H.S. Parasher)  
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPEAL NO. 415 OF 2017  
(Arising out of SLP (CRL) No.548 OF 2013)

RAMESHWAR ... Appellant

VERSUS

STATE OF MAHARASHTRA ... Respondent

O R D E R

Leave granted.

Heard Mr. Rishi Malhotra, learned counsel for the appellant and Mr. Nishant R. Katneshwarkar, learned counsel for the State.

This Court had issued limited notice with regard to the nature of the offence. The appellant, the younger brother of the deceased, had given a blow on the head after being abused by the elder brother on many an occasion and was in the habit of drinking liquor.

Regard being had to the genesis of occurrence and the blow given, we are inclined to convert the offence to one under Section 304 Part I and impose the sentence of ten years.

With the aforesaid conversion of the offence and the imposition of sentence, the appeal stands disposed of.

.....,J.  
(Dipak Misra)

.....,J.  
(A.M. Khanwilkar)

.....,J.  
(Mohan M. Shantanagoudar)

New Delhi;  
Febryuary 27, 2017.