

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 996 of 2016

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1. Javed Alam, son of Md. Sikander Khan, R/o Village-Jaypuriyar, PO & PS-Sadar, District- Hazaribag.
 2. Md. Shamsheer Alam @ Luddan, son of Shahabuddin Ansari, R/o Village Rommy, PO Sadar, PS Katkamsandi, District Hazaribag (Jharkhand)
- **Petitioners**

Versus

The State of Jharkhand

... .. **Opposite Party**

For the Petitioners : Mr. Md. Razaullah Ansari, Advocate

For the State : Ms. Vandana Bharti, A.P.P.

P R E S E N T

HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

JUDGMENT

Dated: 20th August, 2026

By Court:- Heard the learned counsel for the parties.

2. The instant revision application is directed against the Judgment dated 29.3.2016 passed by the learned Additional Sessions Judge-XII, Hazaribag in Cr. Appeal No.18 of 2015, whereby and whereunder, the learned Additional Sessions Judge dismissed the appeal preferred by the petitioners and confirmed the judgment of conviction and sentence dated 6.2.2015 passed by the learned chief Judicial Magistrate, Hazaribag in Sadar (M) P.S. Case No. 430/2013 dated 28.6.2013 corresponding to G.R. No. 2139/2013 under section 387 of Indian Penal Code and sentenced the petitioners to undergo RI for two years and fine of Rs. 2,000/-each with default stipulation.

FACTUAL MATRIX

3. The prosecution case, in short, as per written report of the informant, namely, Janardhan Singh is that in the mobile of Rajkumar Singhania who was the employer of the informant, a call had come from the mobile phone of Jogender and Rahul demanding Rs. 5,00,000/- as extortion money and also threatened that if the demand is not fulfilled at the earliest, the employees of the industry will be killed and the factory will be ambushed. It is further alleged that in the mobile phone of the informant, call had been received from the miscreants and they stated

that your employer has switched off his mobile, ask him to give Rs. 5,00,000/-. After some days in the mobile phone of Supervisor, a call came from the miscreants who said that again and again they have rung for rangdari money, now they have to kill the employees and have to ambush the factory. On the same day at 10 p.m. again a call of the miscreants came in the mobile phone of the informant and they threatened that on 28.6.2013 they will come to the factory along with the entire gang. Get ready with the money other wise all the employees will be killed and the factory will be ambushed.

4. On the basis of the aforesaid written report of the informant, Hazaribag Sadar (M) PS Case No. 430 of 2013 was registered, under sections 386 and 387 of Indian Penal Code against unknown. After completion of investigation charge sheet was submitted under the same sections against the accused persons and on the basis of which cognizance was taken. Charge was framed under sections 386/34 and 387/34 of the Indian Penal Code which was read over and explained to them to which they pleaded not guilty and claimed to be tried.

5. During trial, the prosecution has examined altogether 7 witnesses in support of his case namely:

P.W.1 Jagraj Singh;

P.W.2 Vikash Kumar Singh;

P.W.3 Sudhir Singh;

P.W.4 Prabhunath Prasad;

P.W.5 Janardhan Singh (Informant);

P.W.6 Raju Sao and;

P.W.-7 Motilal Ram

6. Several documents were adduced and exhibited on behalf of the prosecution.

7. Neither any witness nor any documents have been adduced on behalf of defence.

SUBMISSIONS ON BEHALF OF THE PETITIONERS:

8. Learned counsel for the petitioners without touching the merits of the judgment has confined his argument towards the quantum of sentence awarded to the petitioners and submitted that during trial and

post-conviction, the petitioners have remained in custody for about 1 year, 11 months and some days. The petitioners were convicted and sentenced for the offence under section 387 IPC by the learned trial court awarding two years RI and fine of Rs. 2000/-each with default stipulation which has been upheld in Cr. Appeal No. 18 of 2015 by the judgment dated 29.3.2016. It has further been submitted that the occurrence is of the year 2013 and now more than thirteen years have been lapsed. The petitioners have not indulged in any other criminal activity and have sufficiently been punished for their guilt. Therefore, their sentence may be reduced from RI for two years to the imprisonment already undergone by them.

Submission on behalf of State:-

9. On the other hand, learned A.P.P. has defended the impugned judgment on merits and submits that there is concurrent finding about guilt of the petitioners who have not only demanded extortion money but also threatened the informant-party with dire consequences. Therefore, on merits no interference is required in this case. However, on the point of sentence, no serious objection has been raised.

Analysis, Reasons and Decision:-

10. I have considered the submission of the respective parties and also perused the impugned judgment.

11. Having heard learned counsel for the parties and on perusal of record it appears that there is concurrent finding about the guilt of the petitioners for commission of the offence punishable under section 387 of the Indian Penal Code, hence, on merits it does not require any interference. Therefore, this criminal revision is dismissed on merits.

12. So far as quantum of sentence is concerned, it appears that the occurrence is of the year 2013. The petitioners have faced agony of trial for more than twelve years and have also undergone the substantial imprisonment of about 1 year, 11 months and some days out of two years. Therefore, sentence awarded to the petitioners by the

learned trial court is reduced to the imprisonment already undergone by them.

13. Accordingly, the sentence of the petitioners is modified to the extent of period already undergone by them.

14. Consequently, this criminal revision is **dismissed** on merits with modification in sentence as stated above.

15. Petitioners are on bail, hence, they are discharged from the liabilities of bail bonds. The sureties are also discharged.

16. Pending I.A(s), if any, is also disposed of, accordingly.

17. Let a copy of this judgment along with Trial Court Records (if any) be sent back to the court concerned for information and needful.

(Pradeep Kumar Srivastava, J.)

Jharkhand High Court

Dated:20.08.2026

KNR/NAFR

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