

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).1 5 6 9 / 2 0 0 7

(From the judgement and order dated 31 / 1 0 / 2 0 0 6 in CR LA No. 80 / 1 9 9 5 of T  
he  
HIGH COURT OF PUN J A B & HAR Y A N A AT CHAND I G A R H)

RAM DHAN & ORS.

Petitioner(s)

V E R S U S

STA T E OF HAR Y A N A TR. SEC Y. (HOM E)

Respondent(s)

(With appln(s) for bail and office report )

Date: 10 / 0 7 / 2 0 0 7 This Petition was called on for hearing today.

CORA M :

HON' B L E MR. JUS T I C E A.K. MATHU R  
HON' B L E MR. JUS T I C E DAL V E E R BHA N D A R I

For Petitioner(s)

Mr. R. P . Gupta, Senior Advocate  
Mr. J a m s hed Bey, Adv.  
Mr. Pa r m a n a nd Gaur, Adv.

For Respondent(s)

Mr. Rajeev Gaur 'Naseem', Adv.  
Mr.T.V.George, Adv.

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

Leave granted.  
The appeal is disposed of in terms of the signed order.

(Sukhbir Pa ul Kaur)  
Court Master

(Vijay Dhawan)  
Court Master

(Signed Order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.851 OF 2007  
(Arising out of SLP(Crl.)No.1569 of 2007)

RAM DHAN & ORS.

APPELLANT(S)

Versus

STATE OF HARYANA TR. SECY.(HOME)

RESPONDENT(S)

ORDER

1. We have heard counsel for the parties.

2. Leave granted.

3. This appeal has been directed against the order passed by the Division Bench of the Punjab & Haryana High Court in Criminal Appeal No. 80 SB of 1995 dated 31st October, 2006 whereby the High Court has affirmed the conviction of the appellants. The learned Sessions Judge has convicted Ram Dhan, Jitender Singh, Ram Kumar and Chandu Lal under Section 304 Part-I read with Section 34 and under Section 452 of the Indian Penal Code

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and sentenced Jitender to undergo five years rigorous imprisonment and the remaining three accused namely, Ram Dhan, Ram Kumar and Chandu Lal were sentenced to undergo rigorous imprisonment for 10 years under Section 304 Part-I read with Section 34 of the Indian Penal Code and to pay fine of Rs.10,000/- each, in default of payment of fine to further undergo rigorous imprisonment for two years. They were further sentenced to undergo one year rigorous imprisonment under Section 452 of the Indian Penal Code and to pay a fine of Rs.2,500/- each, in default of payment of fine to further undergo rigorous imprisonment for six months. Aggrieved against this, the accused preferred an appeal before the High Court and the High Court confirmed the conviction and sentence of the accused vide Order dated 31st October, 2006. Hence the present Special Leave Petition. At the time of admission of the matter, only limited notice was issued on the quantum of sentence. The present appeal is only by Ram Dhan, Ram Kumar and Chandu Lal.

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4. We have gone through the record and perused both the judgments. In the facts and circumstances of the case, we confirm the conviction and sentence of all the three accused appellants under Section 304 Pat-I IPC but reduce the substantive sentence from 10 years to 7 years rigorous

imprisonment maintaining the fine as awarded by the Trial Court and confirmed by the High Court.

5. This appeal is disposed of with the aforesaid modification.

.....J.  
(A.K.MATHUR)

.....J.  
(DALVEER BHANDARI)

New Delhi,  
July 10, 2007