

ITEM NO.9

COURT NO.7

SECTION IIA

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 (Cr1) No(s).2594/2011

(From the judgement and order dated 28/01/2010 in
445/1995 of The HIGH COURT OF M.P AT JABALPUR)

CRLA No.

RAM SINGH

Petitioner(s)

VERSUS

STATE OF M.P.

Respondent(s)

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

Date: 18/07/2011

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s)

Mr. Varun Thakur, Adv.
Mr. Ashok Kumar Singh, Adv.
Mr. Kunal Verma, Adv.

For Respondent(s)

Ms. Vibha Dattta Makhija, Adv.

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

Leave granted.

The appeal is partly allowed in terms of the
signed order.

[KALYANI GUPTA]
COURT MASTER

[VINOD KULVI]
COURT MASTER

Cr1.A. No. of 2011 @ SLP(Cr1) 2594 of 2011

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[SIGNED ORDER IS PLACED ON THE FILE.]

Cr1.A. No. of 2011 @ SLP(Cr1) 2594 of 2011

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CRIMINAL APPEAL NO. 1453 OF 2011
ARISING OUT OF SLP(CRL) NO. 2594 OF 2011

RAM SINGH APPELLANT
VERSUS
STATE OF MADHYA PRADESH RESPONDENT

O R D E R

1. Leave granted.

2. We had issued noticed on the quantum of sentence only on the 21st of April, 2011 in this matter where a sentence of five years' rigorous imprisonment and a fine has been awarded under Section 307 of the Indian Penal Code.

3. Ms. Vibha Datta Makhija has put in appearance on behalf of the State of Madhya Pradesh.

4. The injuries that had been caused by the appellant are given herein below:

- "(i) incised wound ½" X ¼" on right side below abdomen (illiac cosa)
- (ii) incised wound ¾" X ¼" muscle deep on right middle palm.
- (iii) incised wound 1" X ½" muscle deep on right hand above 3" on wrist,
- (iv) incised wound 1.5" X ¼" on left hand thumb and middle in index finger."

Crl.A. No. of 2011 @ SLP(Crl) 2594 of 2011

5. We see that injury No. 1 is the only injury which could invite the applicability of Section 307 of the Indian Penal Code. This too is an injury of very small dimension. The other injuries are on the hand and are simple in nature. The incident happened in the year 1993 and 18 years have elapsed since then. We, therefore, feel that the sentence of five years awarded to the appellant is somewhat excessive. We, partly allow this appeal and reduce the sentence on the appellant from five to two years rigorous imprisonment, the other parts of

the sentence being maintained as it is.

.....J
[HARJIT SINGH BEDI]

.....J
[GYAN SUDHA MISRA]

NEW DELHI
JULY 18, 2011.