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SLP(Crl.)No. 2861 OF 2003
ITEM No.22

Court No. 4

SECTION II
A/N MATTER

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. 2861/2003

(From the judgement and order dated 07/01/2003 in DBCRL 783/99
of The HIGH COURT OF RAJASTHAN AT JAIPUR)

RAFIQ MOHAMMED

Petitioner (s)

VERSUS

STATE OF RAJASTHAN

Respondent (s)

Date : 05/12/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s)Mr. R.A. Mishra,Adv. (A.C.)

For Respondent (s)Ms. Sandhya Goswami,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.

(Neena Verma) (Vijay Aggarwal)
Court Master Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1462 OF 2003

(Arising out of S.L.P. (Crl.) No.2861 of 2003)

Rafiq Mohammed..... Appellant

Versus

State of Rajasthan..... Respondent

O R D E R

Leave granted.

Notice was issued limited to the question of nature of offence.

After hearing learned counsel for the parties, we are satisfied that this is a case which is covered by Section 304 (Part-I) I.P.C. on the basis of materials on record. We alter the convi

ction accordingly. Ten years' custodial sentence would meet the ends of justice.
The appeal is accordingly disposed of.

.....J.
(DORAISWAMY RAJU)

.....J.
(ARIJIT PASAYAT)
New Delhi,
December 05, 2003.