

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO 1175 of 2013

Ayodhya @ Sakit @ Lallu & Ors

... Appellants

Versus

The State of Madhya Pradesh

... Respondent

ORDER

1 This appeal is at the instance of three convicts and is directed against the judgment and order passed by the High Court of Madhya Pradesh at Jabalpur dated 12th April 2012 in Criminal Appeal No 1421 of 2002 by which the High Court partly allowed the appeal as under :

- “(a) Conviction of appellant No. 1 Sanju @ Ram Sajivan under Sections 307, 324/34 and 323 I.P.C. is affirmed. His sentence of imprisonment for life is reduced to the period of rigorous imprisonment already undergone by him. Sentence of fine of Rs. 10,000/- as imposed on him is affirmed. His conviction and sentences under sections 324/34 and 323 I.P.C. are affirmed.
- (b) Conviction of appellant No.2 Ayodhya @ Sakit @ Lallu and appellant No.3 herein Jagdish under section 307/34 IPC IS affirmed of However, their sentence rigorous imprisonment for 10 years is reduced to rigorous imprisonment for three years. Sentence of fine of Rs. 5000/- is affirmed. Conviction and sentence of appellant No.2 under section 324 IPC and of appellant No.3 under section 324/34 IPC are affirmed.
- (c) Conviction and sentence of appellant no.4 Durga Prasad under section 307/34 IPC is set aside. He is

acquitted of that charge. His conviction and sentence under section 324/34 IPC, as awarded by the trial Court, are affirmed.”

- 2 We are informed that the Appellant No. 2 before us, namely, Jagdish is no more. In such circumstances, the present appeal stands abated so far as Jagdish is concerned.
- 3 We have heard Mr. Rajan Kumar Chourasia, the learned counsel appearing for the appellants and Mr. Abhimanyu Singh, the learned counsel appearing for the State of Madhya Pradesh.
- 4 The learned counsel appearing for the State apprised us of the fact that the convict Ayodhya has undergone about eight and a half months of sentence and convict Durga Prasad has undergone around three months of sentence.
- 5 Having looked into the evidence on record, we see no good reason to interfere with the impugned judgment of the High Court. However, considering few mitigating circumstances, more particularly, the fact that the incident is of the year 2000, the ends of justice would be met if the sentence of both the appellants before us is reduced to the period already undergone.
- 6 In view of the aforesaid, this appeal succeeds in part. While maintaining the conviction of Ayodhya @ Sakit @ Lallu for the offence punishable under Section 307 read with Section 34 of the IPC and that of Durga Prasad for the offence punishable under Section 324 read with Section 34 of the IPC, their respective sentence is reduced to the period already undergone.

7 The appeal stands disposed of in the aforesaid terms.

8 The bail bonds stand discharged.

9 Pending applications, if any, stand disposed of.

.....J.
[J B Pardiwala]

.....J.
[Manoj Misra]

New Delhi;
September 04, 2024
GKA

ITEM NO.110

COURT NO.10

SECTION II-A

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

Criminal Appeal No(s). 1175/2013

AYODHYA @ SAKIT @ LALLU . & ORS.

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

)

Date : 04-09-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE MANOJ MISRA

For Appellant(s) Mr. Rajan Kumar Chaurasia, Adv.
Mr. Anil Kumar Gupta-ii, AOR

For Respondent(s) Ms. Mrinal Gopal Elker, AOR
Mr. Abhimanyu Singh GA, Adv.

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

- 1 The appeal stands disposed of in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)