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SLP(Crl.)No. 4447 OF 2003
ITEM No.207

Court No. 5

SECTION IIA
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. 4447/2003
(From the judgement and order dated 28/03/2002 in CRLA 24/94
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

VANKAR GOVINDBHAI VARUBHAI

Petitioner (s)

VERSUS

STATE OF GUJARAT

Respondent (s)

(With Appln(s). for c/delay in filing SLP & exemption from filing
O.T. and bail and Office Report)
(For Final Disposal)

Date : 02/04/2004 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. S.C. Patel,Adv.(SCLSC)

For Respondent (s)Ms. Vibha Datta Makhija,Adv.
Mrs. Sadhna Sandhu,Adv.
Ms. Hemantika Wahi,Adv.

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

Delay condoned.

Leave granted.

The appeal is allowed to the extent indicated in
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.417 OF 2004
(@ Special Leave Petition (Crl.) NO.4447/2003)

Vankar Govindbhai Varubhai
...Appellant

Versus

State of Gujarat
...Respondent

O R D E R

Heard learned counsel for the parties.

Delay condoned.

Leave granted.

Considering the nature of evidence relating to the alleged occurrence, we feel that the appropriate conviction would be under Section 304 (Part-I) IPC with custodial sentence of ten years' rigorous imprisonment.

The appeal is, accordingly, allowed to the aforesaid extent.

.....J.

(DORAISWAMY RAJU)

.....J.

(ARIJIT PASAYAT)

New Delhi,

April 02, 2004.