

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.893/2012

GANDLA RAVINDER

Appellant(s)

VERSUS

THE STATE OF ANDHRA PRADESH

Respondent(s)

O R D E R

1. The appellant has been arrayed as accused in FIR No.99 of 2005 for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code, (for short, 'the IPC'). The case of the prosecution is that the appellant attacked and stabbed the deceased multiple times due to prior motive which arose in an election, in which the deceased was elected as Sarpanch of the Village. The courts below convicted the appellant under Section 302 of the IPC by substantially placing reliance upon the evidence of PW2 to PW6 being the eye-witnesses.

2. Though the learned counsel for the appellant submitted that the evidence of PW1 has been eschewed by the learned Trial Court and PW1 has implicated the other accused as well who have not been arrayed as accused in the charge-sheet, we are not inclined to agree with the said contention as all the eye witnesses were in the same village and they clearly identified the appellant along with the recovery, which clinchingly points to the appellant.

3. In such view of the matter, we find no error in the

impugned order while confirming the conviction rendered by the Trial Court. However, taking into consideration the submissions made by learned counsel appearing for the appellant that he has been in incarceration for over a period of 18 years, we direct the respondent to consider his case for pre-mature release, if not released already.

3. The appeal is dismissed in the above terms along with pending application(s), if any.

.....J.
(M.M. SUNDRESH)

.....J
(J.B. PARDIWALA)

NEW DELHI;
September 13, 2023.

ITEM NO.105

COURT NO.16

SECTION II

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 SCRIMINAL APPEAL NO(S).893/2012

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THE STATE OF ANDHRA PRADESH

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Date : 13-09-2023 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE J.B. PARDIWALAFor Appellant(s) Ms. Anu Gupta, AOR
Mr. Sanjay Mani Tripathi, Adv.
Mr. V Elangovan, Adv.For Respondent(s) Mr. M.R. Shamshad, Adv.
Mr. Shashank Singh, AOR

Mr. S. Udaya Kumar Sagar, AORUPON hearing the counsel the Court made the following
O R D E R

The appeal is dismissed in terms of the singed order.

Pending application(s), if any shall stand disposed
of.(KAVITA PAHUJA)
COURT MASTER (SH)(RAM SUBHAG SINGH)
COURT MASTER (NSH)

[Signed order is placed on the file]