

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL APPEAL NO.2025 OF 2017**

**BABU LAL**

**... APPELLANT**

**VERSUS**

**STATE**

**... RESPONDENT**

**O R D E R**

Heard learned counsel for the parties.

The present appeal has been filed against the judgment and order dated 12.10.2015 in Criminal Appeal No. 160 of 2015 passed by the High Court of Delhi at New Delhi.

The facts of the case, in brief, are as under :-

Meena (the deceased) got married to accused Ravinder on 20.06.1999. A male child, namely, Harry was born out of this wedlock. On 27.04.2001 at 0055 hrs. an FIR was registered at the instnace of Meena at Police Station Civil Lines, Delhi under Section 498-A of the IPC alleging that she had been subjected to cruelty by the husband and his family members including his brothers and parents. Upon completion of investigation, trial was initiated against the accused Ravinder, his mother (Phoolwati), father (Babu Lal) and brothers (Pushpender and Harshinder). The deceased, when called for evidence in that case, refused to confirm the allegations and made a statement expressing that she did not

want to proceed with the case any further.

On the intervening night of 28<sup>th</sup> and 29<sup>th</sup> May, 2004, on receiving a call, the IO went to the spot and found dead body of the deceased whose neck was slashed. IO also found the articles of the ground floor room and upper floor room scattered. A minor child aged about 3 years was present there but he was not in a position to speak at that time. An FIR was registered under Section 302 IPC which was later converted into a case involving offences punishable under Sections 304-B/498-A/34 IPC primarily on the basis of statements made by Mani Ram (PW-3, Shiv Kumar (PW-4) and Gyanwati (PW-6), the father, mother and brother of the deceased.

The Trial Court found them guilty and convicted the accused Ravinder under Section 302/34 IPC and sentenced him to undergo imprisonment for life. The appellant and the co-accused were convicted for the offence punishable under Sections 304B/498-A/34 of the Indian Penal Code and is sentenced to undergo rigorous imprisonment for a period of ten years with fine of Rs.20,000/- under Section 304-B/34 IPC and rigorous imprisonment for a period of three years with fine of Rs.25,000/- under Section 498-A/34 IPC and in case of default in payment of fine, further RI for six months and three months respectively.

On appeal, the High Court confirmed the judgment of conviction and sentence passed by the Trial Court as far as the appellant is concerned.

We have heard learned counsel for the parties and gone through the material on record. We do not find any ground to interfere with the judgments of the High Court and the Trial Court convicting the appellant. Thus, the judgments of conviction passed by the courts below stand confirmed.

It has been brought to the notice of the Court that the appellant has already undergone more than nine years of sentence. In the peculiar facts and circumstances of this case and having regard to the material on record which is meticulously perused by us, we deem it appropriate to reduce the sentence to the period already undergone. Therefore, though the judgments of conviction is maintained, the sentence is modified. Ordered accordingly. The appellant shall be released forthwith, if not already released and if he is not required in any other case. In case, the appellant is on bail, his bail bonds shall stand cancelled.

The appeal is, accordingly, disposed of.

....., J.  
(Mohan M. Shantanagoundar)

....., J.  
(Vineet Saran)

New Delhi;  
March 12, 2021

ITEM NO.1 Court 9 (Video Conferencing) SECTION II-C

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Criminal Appeal No(s). 938-939/2016

PUSHPENDER Appellant(s)

VERSUS

STATE Respondent(s)

WITH

Cr1.A. No. 2025/2017 (II-C)  
(FOR CLARIFICATION/DIRECTION ON IA 22988/2021)

Date : 12-03-2021 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR  
HON'BLE MR. JUSTICE VINEET SARAN

For Appellant(s) Ms. Kaveeta Wadia, AOR  
Mr. Rishabh Bansal, Adv.  
Mr. Akshay Bhatia, Adv,

For Respondent(s) Ms. Aishwarya Bhati, ASG  
Mr. B. V. Balaram Das, AOR  
Ms. Kiran Suri, Sr. Adv.  
Mr. Shalinder Saini, Adv.  
G Usha Shri, Adv.  
Mr. M.P. Gupta, Adv.  
  
Mr. Rakesh Kumar-i, AOR

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

Heard learned counsel for the parties.

Criminal Appeal No.2025 of 2017 is disposed of in terms of the signed order. The operative part of the signed order reads as under:-

"We have heard learned counsel for the parties and gone through the material on record. We do not find any ground to interfere with the judgments of the High Court and the Trial Court

convicting the appellant. Thus, the judgments of conviction passed by the courts below stand confirmed.

It has been brought to the notice of the Court that the appellant has already undergone more than nine years of sentence. In the peculiar facts and circumstances of this case and having regard to the material on record which is meticulously perused by us, we deem it appropriate to reduce the sentence to the period already undergone. Therefore, though the judgments of conviction is maintained, the sentence is modified. Ordered accordingly. The appellant shall be released forthwith, if not already released and if he is not required in any other case. In case, the appellant is on bail, his bail bonds shall stand cancelled.

The appeal is, accordingly, disposed of."

Pending applications, if any, stand disposed of accordingly.

(GULSHAN KUMAR ARORA)  
AR-CUM-PS

(VIRENDER SINGH)  
COURT MASTER

(Signed order is placed on the file)