

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL Nos.1396-1397 OF 2026
[Arising out of SLP (CrL.) Nos.1826-1827 OF 2026]

WITH

CRIMINAL APPEAL Nos.1398-1399 OF 2026
[Arising out of SLP (CrL.) Nos.4054-4055 OF 2026]

KAPILDEO MANDAL & ANR.

APPELLANT(S)

VERSUS

STATE OF JHARKHAND

RESPONDENT(S)

O R D E R

1. Leave granted.
2. Since the issues raised in all the captioned appeals are the same and the challenge is also to the self-same judgment of the High Court, those were taken up for hearing analogously are being disposed of by this common judgment and order.
3. These appeals arise from the common judgment and order passed by the High Court of Jharkhand dated 14.08.2024 in Criminal Appeal Nos.03/2011 and 132/2011 respectively by which both the appeals preferred by the appellants herein seeking to challenge the judgment and order of conviction passed by the Trial Court came to be partly allowed.
4. The High Court, while allowing the appeals partly, altered the conviction from Section 302 to Section 304 Part II of the Indian Penal Code (for short, "the IPC") and sentenced each of the appellants herein to undergo five years of rigorous

imprisonment with fine of rupees five thousand each.

5. It appears from the materials on record that the appellants herein were put to trial in the Court of the Sessions Judge, Godda, in Sessions Case No.129 of 2009 for the offence punishable under Section 302 read with Section 34 of the IPC.

6. At the end of the trial, all the four appellants stood convicted for the alleged offence and were sentenced to undergo life imprisonment with fine of rupees ten thousand each.

7. The appellants preferred two appeals referred to above in the High Court seeking to challenge the legality and validity of the judgment and order of conviction passed by the Trial Court.

8. As noted above, the two appeals came to be partly allowed. The High Court altered the conviction from murder to one of culpable homicide not amounting to murder punishable under Section 304 Part II of the IPC.

9. We heard Ms. Suchitra Pandey, the learned counsel appearing for the appellants and Mr. Jayant Mohan, the learned counsel appearing for the State.

10. It appears from the evidence on record that the incident occurred on a very trivial issue. On 16.04.2009, the deceased, son of PW6 (first informant) was preparing puffed rice. At that point of time, the bullock of Dilip Mandal, one of the appellants before us entered the place where puffed rice was being cooked and the bullock started eating the straws. This incident enraged the deceased. The deceased is said to have

shoved away the bullock. This act of the deceased was not liked by the appellants. They entered into a verbal altercation. In the course of the verbal altercation, it appears that one of the appellants viz., Dilip Mandal hit the deceased on his head with a *lathi*. The injury suffered by the deceased on his head proved to be fatal. In such circumstances, the FIR was lodged by the father of the deceased for the offence of murder.

11. We take notice of the fact that this incident is of the year 2009. Pending trial, all the appellants were on bail. Even during the pendency of the criminal appeal before the High Court, they were on bail. It is only after the appeals came to be dismissed by the High Court, that they were taken in custody.

12. On an average, each of the appellants before us have undergone around two years of sentence.

13. We are of the view, having regard to the genesis of the occurrence that we should reduce the sentence to the period already undergone and put an end to these appeals. We accordingly reduce the sentence to the period already undergone in the peculiar facts and circumstances of this case.

14. In the result, all these appeals are partly allowed while upholding the conviction of all the four appellants for the offence punishable under Section 304 Part II of the IPC the period of sentence is reduced to the period already undergone.

15. The appeals, accordingly, stand disposed of.

16. Pending application(s), if any, also stand disposed of.

.....J
[J.B. PARDIWALA]

.....J
[K.V. VISWANATHAN]

NEW DELHI;
16TH MARCH, 2026.

ITEM NO.61

COURT NO.7

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

Petition(s) for Special Leave to Appeal (Crl.)
No(s). 1826-1827/2026

[Arising out of impugned final judgment and order dated 14-08-2024 in CRADB No. 132/2011 14-08-2024 in CRADB No. 3/2011 passed by the High Court of Jharkhand at Ranchi]

KAPILDEO MANDAL & ANR.

Petitioner(s)

VERSUS

STATE OF JHARKHAND

Respondent(s)

WITH

SLP(Crl) No. 4054-4055/2026 (II-A)

Date : 16-03-2026 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :

Ms. Suchitra Pandey, AOR

For Respondent(s) :

Mr. Jayant Mohan, AOR
Ms. Meenakshi Chatterjee, Adv.
Ms. Adya Shree Dutta, Adv.
Ms. Dorjee Ongmu Lachungpa, Adv.
Mr. Priyanshu Teotia, Adv.

Mr. Shantanu Sagar, AOR
Mr. Mangaljit Mukherjee, Adv.

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

1. Leave granted.
2. The appeals are disposed of in terms of the signed order which is placed on the file.

3. Pending application(s), if any, also stand disposed of.

(HARPREET KAUR)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)