

**State of Karnataka Vs. Mohammed Jaffer**

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**Court :** Karnataka

**Decided On :** Dec-04-1989

**Reported in :** 1991CriLJ777; ILR1990KAR597; 1990(3)KarLJ504

**Judge :** D.P. Hiremath and ;K. Ramachandriah, JJ.

**Acts :** [Indian Penal Code \(IPC\), 1860](#) - Sections 279, 337, 338 and 304

**Appeal No. :** Criminal Appeal No. 696 of 1989

**Appellant :** State of Karnataka

**Respondent :** Mohammed Jaffer

**Advocate for Pet/Ap. :** B.R. Nanjundaiah, ;Addl. S.P.P.

**Judgement :**

**Hiremath, J.**

1. Heard.

2. The accused has been sentenced to suffer rigorous imprisonment for 6 months and to pay a fine of Rs. 1,500/- with default sentence. The conviction is for the offences u/Ss. 279, 337, 338 and 304A I.P.C. As far as the prayer for enhancement is concerned we do not find any grounds for enhancement. But the trial Court, we have to observe, ought to have passed separate sentence for each

of the offences for which he was found guilty and it is stated that there were 2 other injured persons in respect of whom distinct offences u/S. 337 and 338 were alleged.

3. It has come to our notice that in many cases the trial Courts do not bear in mind that for each of the offences separate sentence has to be passed and this is one such instance. In spite of this infirmity as the accused will have served the sentence by the time this appeal comes to be disposed of no useful purpose would be served by technically apportioning the sentence. The trial Courts, however, shall understand the necessity and legality of imposing separate sentence for each of the offences and not a blanket sentence.

4. With these observations the appeal is dismissed.

5. Appeal dismissed.

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