

Satnarain Vs. State

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Court : Rajasthan

Decided On : Jan-31-1951

Reported in : 1952CriLJ1384

Judge : Atma Charan, J.C.

Appellant : Satnarain

Respondent : State

Judgement :

ORDER

Atma Charan, J.C.

1. Heard the parties.

2. The accused-applicant stands convicted Under Section 353, Penal Code and sentenced to pay a fine of Rs. 150/- or in default to undergo three months' R.I. The findings of the two courts below are clearly to the effect that the accused-applicant assaulted a public servant and that the assault was made on the public servant, while he was acting in the execution of his duty as such. The findings arrived at to the-effect by the two courts below have not been challenged at the time of arguments before the? Court. It is thus obvious that the accused-applicant has rightly been convicted Under Section 353, Penal Code.

3. The accused-applicant has been sentenced to pay a fine of Rs. 150/- or in default of such, to undergo three months' R.I. The accused-applicant is a small boy, and has no previous conviction to his credit. It would, in the circumstances, meet the ends of justice if his sentence of fine is set aside and he is directed to be released on probation of good conduct for a period of six months Under Section 562, Cr.P.C.

4. The application in revision is accordingly partly allowed, the conviction of the accused-applicant is maintained, his sentence of fine is set aside and he is directed to be released on his furnishing a bond executed by a surety in the sum of Rs. 250/- as laid down Under Section 514B, Cr.P.C. to appear and receive sentence when called upon during the next six months and in the meantime to keep the peace and be of good behaviour: the fine or part of fine, if already realized be refunded to the accused-applicant.

5. The bond be furnished before the trial court by 31.1.1951.

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