

**Bhoop Ram Vs. State of Rajasthan**

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**SooperKanoon Citation :** [sooperkanoon.com/759605](http://sooperkanoon.com/759605)

**Court :** Rajasthan

**Decided On :** Dec-09-1987

**Reported in :** 1988WLN(UC)44

**Judge :** M.C. Jain, J.

**Appeal No. :** S.B. Criminal Appeal No. 90 of 1987

**Appellant :** Bhoop Ram

**Respondent :** State of Rajasthan

**Judgement :**

**M.C. Jain, J.**

1. Heard learned Counsel for the parties.
2. Learned Counsel for the appellant does not challenge the conviction. He, however, urged that the sentence awarded has been severe.
3. The appellant has been convicted under Section 307 IPC and has been sentenced to 7 years rigorous imprisonment and to a fine of Rs. 200/- in default of payment of fine to undergo two months simple imprisonment. He has also been convicted for the offence under Section 450, IPC and has been sentenced to 5 years rigorous imprisonment and to a fine of Rs. 200/-, in default to undergo two months simple imprisonment. He has been further convicted under Section 27 of

the Arms Act and has been sentenced to three years simple imprisonment and to a fine of Rs. 100/-, in default to undergo one month's simple imprisonment. All the substantive sentences have been ordered to run concurrently.

4. It is a gun-shot case. The shot has been hit in the abdomen.

5. Considering the facts, it would be proper to reduce the substantive sentences for the offence under Section 307 IPC to 3-1/2 years rigorous imprisonment and also for the offence under Section 450 IPC to 3-1/2 year's rigorous imprisonment.

6. Accordingly this appeal is partly allowed. Convictions of the appellant are maintained, However, his substantive sentences for the offences under Section 307 IPC and 450 IPC are reduced to 3-1/2 years rigorous imprisonment. Rest of the sentences are maintained. The sentences shall run concurrently.

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