

Dhana Ram Vs. State of Rajasthan

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Court : Rajasthan

Decided On : Aug-25-1988

Reported in : 1988WLN(UC)146

Judge : Milap Chand Jain, J.

Appeal No. : S.B. Cr. Revision Petition No. 228 of 1988

Appellant : Dhana Ram

Respondent : State of Rajasthan

Judgement :

M.C. Jain, J.

1. Heard learned Counsel for the parties after notice to the Public Presecutor.
2. The petitioner has been convicted for the offences under Section 326 IPC and sentenced to 2.5 years rigorous imprisonment and under Section 447 IPC and he is sentenced to one month's rigorous imprisonment. Both the sentences were ordered to run concurrently by the learned Munsif and Judicial Magistrate, first class, Makarana by his judgment dated 5-5-1983. His appeal was dismissed by the learned Sessions Judge, Merta vide judgment dated 10-8-1988. Learned Counsel for the petitioner has not challenged the conviction of the petitioner. He, however, urged that the petitioner is aged about 18 years. The grievous injury has

been caused to the little finger of the left hand. The parties are near relations, so, it is urged that sentence awarded is severe and the sentence may be reduced to four months.

3. Having regard to the facts and circumstances of the case, in my opinion, sentence of six months rigorous imprisonment would be adequate.

4. Accordingly, the revision petition is partly allowed and conviction of the petitioner is maintained. His sentence for the offence under Section 326 IPC is reduced to six months rigorous imprisonment. His conviction and sentence for the offence under Section 447 IPC are maintained. It is further ordered that the petitioner shall pay a sum of Rs. 1000/- by way of compensation to the injured Shivdan.

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