

Court No. - 53

Case :- CRIMINAL REVISION No. - 1796 of 1996

Revisionist :- Ram Kishan

Opposite Party :- State of U.P.

Counsel for Revisionist :- V.Saran

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Syed Aftab Husain Rizvi,J.

1. Heard learned counsel for revisionist and learned AGA for the State.
2. This Crl. Revision has been filed against the judgment and order dated 15.11.1996 passed in Crl. Appeal No. 49 of 1996 (Ram Kishan vs. State of U.P.) passed by the Court of Sessions Judge, Budaun. Framing the conviction and sentence passed by 3rd Additional Civil Judge (J.D.), Badaun in Crl. Case No. 4091 of 1992 (State Vs. Ramkishan), Police Station Jarifnagar, Badaun. Learned Magistrate has held the accused guilty for offence under Section 354 I.P.C. and has sentenced him six months rigorous imprisonment and fine of Rs.500/- and in default of payment of fine two months simple imprisonment.
3. Learned counsel for revisionist submitted that revision was filed challenging the conviction. Under the orders of this Court on non-bailable warrant revisionist-accused was arrested and sent to judicial custody on 16.8.2023. Revisionist has also served some part of sentence earlier and now his period of sentence is almost complete. Revisionist-accused now does not want to press this revision.
4. There appears to be no illegality or infirmity in the finding of conviction.
5. In view of the submission made by learned counsel for revisionist the revision is hereby **disposed of** in following terms.
6. The conviction of revisionist is upheld, however, sentence is modified with a period of imprisonment already undergone. The revisionist shall be released, if not wanted in any other case. The order shall be communicated to the concerned court immediately for compliance.

7. Learned AGA shall also inform Jail Superintended, Budaun about this order.

Order Date :- 27.10.2023/Md Faisal