

Court No. - 16

Case :- CRIMINAL APPEAL No. - 340 of 2024

Appellant :- Danish

Respondent :- State Of U.P Thru. Prin. Secy. Deptt. Of Home Lko.

Counsel for Appellant :- Firoz Ahmad Khan, Nijam Ahamad

Counsel for Respondent :- G.A., Mohd. Yasin, Rakesh Pratap Singh

Hon'ble Mohd. Faiz Alam Khan, J.

This case was directed to be listed today after the list of fresh cases. Shri Nijam Ahmad, learned counsel for the appellant is available with learned AGA for the State, however, Shri Mohd. Yasin, learned counsel for the informant/ complainant is not present.

In order to accommodate learned counsel for the complainant, let this case be listed today to be taken up **at 3.00 P.M.**

3.00 P.M.

This appeal is again taken up at 3.00 P.M., learned counsel for the appellant and learned AGA for the State is available but Shri Mohd. Yasin, learned counsel for the informant/ complainant is absent and no request has either been made on his behalf.

Heard Shri Nijam Ahmad, learned counsel for the appellant as well as learned AGA for the State and perused the record.

1. The instant appeal has been filed by the appellant-Danish against the impugned judgment and order dated 17.1.2024 passed in Sessions Trial No. 08/2018 arising out of Case Crime No. 177/2017, under Sections 452, 307, 323 IPC and Sessions Trial No. 09/2018 arising out of Case Crime No. 178/2017, under Section 4/25 Arms Act, whereby the appellant - Danish has been convicted under Sections 452, 307 323 IPC and 4/25 Arms Act and has been sentenced for 7 years rigorous imprisonment for 452 IPC, 10 years rigorous imprisonment for 307 IPC, one year rigorous imprisonment for 323 IPC and 3 years rigorous imprisonment for 4/25 Arms Act along with the fine and default clause.

2. The factual matrix of the instant appeal is to the tune that a

First Information Report was lodged by informant- Mohd. Wahid on 3.10.2017 at 11.15 A.M. at Police Station Tanda, District Ambedkar Nagar alleging therein that the informant on 1.10.2017 at about 1.00 A.M. had gone to participate in the '*Tazia Procession of Moharram*' and his wife Gufrana Wahid and 16 years old daughter Zeba Wahid were alone in the house and taking advantage of this, appellant - Danish along with his two associates entered into the house for the purpose of committing loot and when he was identified by his daughter he assaulted her with 'knife' on her face and also assaulted his wife and when the neighbours started assembling they fled away from the scene.

3. The injured persons were taken to C.H.C. Tanda, from where they were referred to Trauma Center, Lucknow.

4. On the basis of this written information a case Crime No. 178/2017 was registered under Sections 323, 452, 324 , 307 IPC and investigation was taken up by the Investigating Officer.

5. During the course of investigation of the above mentioned case, on an information received from the police informer the accused person was arrested on 4.10.2017 at about 2.10 P.M. and on his pointing a blood stained knife was recovered from below the 'charpoy' in his house and he has also confessed about Ansar @ Munna and Wakeel as his associates. With regard to the recovery of the knife a case Crime No. 178/2017, under Section 4/25 Arms Act was registered separately against the appellant- Danish.

6. The Investigating Officer after recording the statement of the two injured women, namely, Gufrana Wahid and Zeba Wahid recorded the statements of other prosecution witness and prepared site plan and also collected the medical reports pertaining to the injured women and finding sufficient material submitted separate charge sheets against the appellant- Danish and two other accused persons, namely, Rahmat Ali @ Raju and Uvaish under Sections 452, 323, 324, 307 IPC and against the appellant- Danish under Section 4/25 Arms Act.

7. The charges against the accused persons- Danish, Rahmat Ali @ Raju and Uvaish were framed by the trial court under Sections 452, 307/34, 323/34 and 324/34 IPC and under Section 4/25 Arms Act only against the appellant- Danish.

8. The accused persons denied the charges and claimed trial.
9. The prosecution in order to prove its case has presented P.W.1- Mohd. Wahi , P.W.2- Gufrana, P.W.3- Zeba Wahi, P.W.4- Mohd. Arshad, P.W.5- Dr. Jai Prakash, P.W.6- Sub Inspector Mohd. Tanveer Khan, P.W.7- Dr. Nikhil, P.W.8-Sub Inspector of Police Kripashankar Yadav. Apart from above mentioned oral evidence the prosecution has also relied on documentary evidence e.g. Chick FIR, Tahrir FIR, Cite Plan, Injury reports of Zeba Wahid and Gufrana, C.T. Scan Reports of both the injured persons and other medical papers pertaining to the admission of injured persons, charge sheet pertaining to both the cases, arrest memo of the arrest and recovery of knife from the appellant- Danish and other documentary evidences.
10. After conclusion of the evidence of the prosecution the statement of the accused person was recorded under Section 313 Cr.P.C. wherein the accused persons and appellant denied the evidence produced by the prosecution and also that the incident has been committed by some other persons in the night. No evidence was produced by the accused persons in support of their defence.
11. The trial court after appreciating the evidence on record has convicted the appellant for committing offences under Sections 452, 307, 323 IPC and under Section 4/25 Arms Act, however, acquitted the other co-accused persons of all the charges framed against them and sentenced the appellant in the manner described in the first paragraph of this judgment.
12. Shri Nijam Ahmad, learned counsel for the appellant vehemently submits that though there are various discrepancies in the statements of the prosecution witnesses recorded before the trial court including the contradictions between medical and ocular evidence, however, he is not challenging the judgment and order of the trial court, so far as the conviction of the appellant is concerned under Sections 323, 307 and 452 IPC and under Section 4/25 Arms Act but he is aggrieved by the fact that the excessive punishment has been given by the trial court as the appellant has been sentenced for 10 years rigorous imprisonment with regard to commission of offence under Section 307 IPC and 7 years rigorous imprisonment with regard to commission of offence under Section 452 of the IPC.
13. It is further submitted that at the time of hearing of the

appellant on the quantum of sentence it was evident that the appellant is not a previous convict nor any criminal history of the appellant was produced before the trial court and the offence has been committed in the darkness of the night, therefore, excessive punishment has been given to the appellant who at that point of time was aged about only 25 years and was also not married.

14. It is further submitted that since the arrest of the appellant in this case on 4.10.2017 he is in jail and thus for the last about 6 years and 6 months the appellant is in jail in this case. Therefore the appellant be punished with the period already undergone by him in prison.

15. Learned AGA on the other hand submits that the appellant in association with other co-accused persons have assaulted two innocent ladies and by referring to various photographs available on record, submits that one of the injured, namely, Zeba Wahid was assaulted on her face, while her mother Gufrana was assaulted on her head and due to the fatal injuries sustained by them, they were both at the verge of their death and thus the appellant is not entitled for any mercy, having regard to the manner in which the offence has been committed.

16. Having heard learned counsel for the parties and having perused the record it is reflected that, though learned counsel for the appellant has not challenged the impugned judgement and order with regard to the conviction of the appellant under Sections 323, 452, 307 IPC and under Section 4/25 of the Arms Act but in order to satisfy its judicial conscience this Court has undertaken an exercise to assess as to whether any illegality has been committed by the trial court in convicting the appellant for commission of aforementioned penal offences.

17. Perusal of the record would reveal that in order to prove its case beyond reasonable doubt the prosecution has presented informant P.W.1- Mohd. Wahid, P.W.2- Gufrana and P.W.3- Zeba Wahid as well as P.W.4- Mohd. Arshad Umar as witnesses of fact. Out of these 4 prosecution witnesses, P.W.2- Gufrana and P.W.3- Zeba Wahid are injured persons and they have identified the appellant as one of the assailant as he was known to them from before the incident. These injured witnesses have stated in categorical terms to have been assaulted by the appellant and have given a detailed account of the incident. P.W.5- Dr. Jai Prakash and P.W.7- Dr. Nikhil are two doctors

who have first attended the injured persons and they have fortified the injuries sustained by the two injured persons and also that, at first the injured persons were treated at C.H.C. Ambedkar Nagar, District Hospital Ambedkar Nagar and thereafter the treatment of the injured persons was held at K.G.M.C., Lucknow. There are various medical papers pertaining to the treatment of both the injured persons which sufficiently corroborates the oral evidence of these two injured persons. C.T. Scan of both the injured persons would reveal that one of the injured, namely, Gufrana has sustained fracture of her left parietal bone and she had remained admitted for 8 days in the K.G.M.C. Lucknow (Trauma Center). The treatment papers of injured Zeba Wahid are also available on record, perusal of which suggests that she has also sustained some injuries. One of the doctor i.e. P.W.5- Dr. Jai Prakash has stated in his evidence that as it was necessary to refer the injured persons immediately to a Higher Center he did not record the measurement and nature of the injuries sustained by both the injured persons.

18. Thus, the oral evidence tendered before the trial court was corroborated with medical evidence, there was no confusion with regard to the place of occurrence as the pieces of the floor which were blood stained were collected by the Investigating Officer and have been sufficiently identified by the prosecution witnesses. A blood stained knife has also been recovered on the pointing of the appellant from his house and in forensic lab report the blood has been found of human being. There is no lacuna in the investigation, thus I am satisfied that the prosecution has proved its case before trial court, beyond reasonable doubt and the trial court has not committed any error in convicting the appellant for committing the offence under Sections 323, 452, 307 IPC and under Section 4/25 Arms Act.

19. Coming to the quantum of sentence inflicted by the trial court, it is evident that the trial court has convicted the appellant under Section 452 IPC, 307 IPC and 323 IPC and Section 4/25 of the Arms Act. It is under Section 307 IPC the appellant has been sentenced for 10 years rigorous imprisonment. The law with regard to sentencing is now no more *res integra* and while sentencing an accused person to any offence the duty of the trial court is to impose or inflict a proportional punishment on the wrong doer having regard to the

offence committed by him and also keeping in view the manner in which the offence has been committed.

20. Under Section 307 IPC a wrongdoer may be punished with imprisonment of either description of 10 years with fine and if the hurt is caused to any person by such act the offender shall be liable either to imprisonment for life or to such punishment as is herein before mentioned. Thus when hurt has been caused by a wrongdoer he may be punished with imprisonment of either description which may extend to 10 years or with imprisonment for life. However, a decision is to be taken by the court having regard to all the facts and circumstances of the case including the mitigating circumstances, if any, available in favour of the convict / appellant.

21. In the case of **Hazara Singh Vs. Raj Kumar & Ors.**, in the Criminal Appeal No. 603-604 of 2013, Hon'ble Apex Court has held as under :-

“307. Attempt to murder.- Whoever does any act with such intention or knowledge, and under such circumstances that, if he by that act caused death, he would be guilty of murder, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and if hurt is caused to any person by such act, the offender shall be liable either to imprisonment for life, or to such punishment as is herein above mentioned.”

It is clear that the maximum punishment provided therein is imprisonment for life or a term which may extend to 10 years. Although Section 307 does not expressly state the minimum sentence to be imposed, it is the duty of the Courts to consider all the relevant factors to impose an appropriate sentence. The legislature has bestowed upon the judiciary this enormous discretion in the sentencing policy, which must be exercised with utmost care and caution. The punishment awarded should be directly proportionate to the nature and the magnitude of the offence.

Sentencing Policy:

7) The cardinal principle of sentencing policy is that the sentence imposed on an offender should reflect the crime he has committed and it should be proportionate to the gravity of the offence. This Court has repeatedly stressed the central role of proportionality in sentencing of offenders in numerous cases.

8) The factual matrix of this case is similar to the facts and circumstances of the case in Shailesh Jasvantbhai and Another vs. State of Gujarat and others, (2006) 2 SCC 359, Hon'ble Supreme Court, observed thus:

“7. The law regulates social interests, arbitrates conflicting claims and demands. Security of persons and property of the people is an essential function of the State. It could be achieved through instrumentality of criminal law. Undoubtedly, there is a cross-cultural conflict where living law must find answer to the new challenges and the courts are required to mould the sentencing system to meet the challenges. The contagion of lawlessness would undermine social order and lay it in ruins. Protection of society and stamping out criminal proclivity must be the object of law, which must be achieved by imposing appropriate sentence. Therefore, law as a cornerstone of the edifice of “order” should meet the challenges confronting the society. Friedman in his *Law in Changing Society* stated that: “State of criminal law continues to be - as it should be - a decisive reflection of social consciousness of society.” Therefore, in operating the sentencing system, law should adopt the corrective machinery or deterrence based on factual matrix. By deft modulation, sentencing process be stern where it should be, and tempered with mercy where it warrants to be. The facts and given circumstances in each case, the nature of the crime, the manner in which it was planned and committed, the motive for commission of the crime, the conduct of the accused, the nature of weapons used and all other attending circumstances are relevant facts which would enter into the area of consideration.

8. Therefore, undue sympathy to impose inadequate sentence would do more harm to the justice system to undermine the public confidence in the efficacy of law and society could not long endure under such serious threats. It is, therefore, the duty of every court to award proper sentence having regard to the nature of the offence and the manner in which it was executed or committed etc.”

9) In *Ahmed Hussein Vali Mohammed Saiyed and Anr. vs. State of Gujarat*, (2009) 7 SCC 254, Hon’ble Supreme Court observed as follows:-

“99.....The object of awarding appropriate sentence should be to protect the society and to deter the criminal from achieving the avowed object to law by imposing appropriate sentence. It is expected that the courts would operate the sentencing system so as to impose such sentence, which reflects the conscience of the society and the sentencing process has to be stern where it should be. Any liberal attitude by imposing meager sentences or taking too sympathetic view merely on account of lapse of time in respect of such offences will be result-wise counter productive in the long run and against the interest of society which needs to be cared for and strengthened by string of deterrence inbuilt in the sentencing system.

100. Justice demands that courts should impose punishment

befitting the crime so that the courts reflect public abhorrence of the crime. The court must not only keep in view the rights of the victim of the crime and the society at large while considering the imposition of appropriate punishment. The court will be failing in its duty if appropriate punishment is not awarded for a crime which has been committed not only against the individual victim but also against the society to which both the criminal and the victim belong.”

10) In *Jameel vs. State of Uttar Pradesh* (2010) 12 SCC 532, this Court reiterated the principle by stating that the punishment must be appropriate and proportional to the gravity of the offence committed. Speaking about the concept of sentencing, Hon'ble Supreme Court observed thus: -

“15. In operating the sentencing system, law should adopt the corrective machinery or deterrence based on factual matrix. By deft modulation, sentencing process be stern where it should be, and tempered with mercy where it warrants to be. The facts and given circumstances in each case, the nature of the crime, the manner in which it was planned and committed, the motive for commission of the crime, the conduct of the accused, the nature of weapons used and all other attending circumstances are relevant facts which would enter into the area of consideration.

16. It is the duty of every court to award proper sentence having regard to the nature of the offence and the manner in which it was executed or committed. The sentencing courts are expected to consider all relevant facts and circumstances bearing on the question of sentence and proceed to impose a sentence commensurate with the gravity of the offence.”

11) In *Guru Basavaraj @ Benne Settapa vs. State of Karnataka*, (2012) 8 SCC 734, while discussing the concept of appropriate sentence, Hon'ble Supreme Court expressed that:

“It is the duty of the court to see that appropriate sentence is imposed regard being had to the commission of the crime and its impact on the social order. The cry of the collective for justice, which includes adequate punishment cannot be lightly ignored.”

12) In *Gopal Singh vs. State of Uttarakhand* JT 2013 (3) SC 444, Hon'ble Apex Court has held as under:-

“18. Just punishment is the collective cry of the society. While the collective cry has to be kept uppermost in the mind, simultaneously the principle of proportionality between the crime and punishment cannot be totally brushed aside. The principle of just punishment is the bedrock of sentencing in respect of a criminal offence....”

22. The Supreme Court in the case of **State of Rajasthan Vs. Banwari Lal and another** reported in MANU/SC/0440/2022,

has held as under :-

*"In the case of **State of Rajasthan v. Mohan Lal** reported in (2018) 18 SCC 535, it is opined as under :*

9. *The High Court simply brushed aside the aforementioned material facts and sentenced the Accused to the period already undergone by him, which is only 6 days in this case. In our view, the trial court and the High Court have taken a lenient view by convicting the Accused for offences Under Sections 325 and 323 Indian Penal Code. Absolutely no reasons, much less valid reasons, are assigned by the High Court to impose the meagre sentence of 6 days. Such imposition of sentence by the High Court shocks the judicial conscience of this Court.*

10. *Currently, India does not have structured sentencing guidelines that have been issued either by the legislature or the judiciary. However, the courts have framed certain guidelines in the matter of imposition of sentence. A Judge has wide discretion in awarding the sentence within the statutory limits. Since in many offences only the maximum punishment is prescribed and for some offences the minimum punishment is prescribed, each Judge exercises his discretion accordingly. There cannot, therefore, be any uniformity. However, this Court has repeatedly held that the courts will have to take into account certain principles while exercising their discretion in sentencing, such as proportionality, deterrence and rehabilitation. In a proportionality analysis, it is necessary to assess the seriousness of an offence in order to determine the commensurate punishment for the offender. The seriousness of an offence depends, apart from other things, also upon its harmfulness.*

11. *This Court in Soman v. State of Kerala [Soman v. State of Kerala, MANU/SC/1110/2012 : (2013) 11 SCC 382 : (2012) 4 SCC (Cri.) 1] observed thus: (SCC p. 393, para 27)*

27.1. *Courts ought to base sentencing decisions on various different rationales--most prominent amongst which would be proportionality and deterrence.*

27.2. *The question of consequences of criminal action can be relevant from both a proportionality and deterrence standpoint.*

27.3. Insofar as proportionality is concerned, the sentence must be commensurate with the seriousness or gravity of the offence.

27.4. One of the factors relevant for judging seriousness of the offence is the consequences resulting from it.

27.5. Unintended consequences/harm may still be properly attributed to the offender if they were reasonably foreseeable. In case of illicit and underground manufacture of liquor, the chances of toxicity are so high that not only its manufacturer but the distributor and the retail vendor would know its likely risks to the consumer. Hence, even though any harm to the consumer might not be directly intended, some aggravated culpability must attach if the consumer suffers some grievous hurt or dies as result of consuming the spurious liquor.

12. The same is the verdict of this Court in *Alister Anthony Pareira v. State of Maharashtra* [*Alister Anthony Pareira v. State of Maharashtra*, MANU/SC/0015/2012 : (2012) 2 SCC 648 : (2012) 1 SCC (Civ) 848 : (2012) 1 SCC (Cri.) 953] wherein it is observed thus: (SCC p. 674, para 84)

84. Sentencing is an important task in the matters of crime. One of the prime objectives of the criminal law is imposition of appropriate, adequate, just and proportionate sentence commensurate with the nature and gravity of crime and the manner in which the crime is done. There is no straitjacket formula for sentencing an Accused on proof of crime. The courts have evolved certain principles: the twin objective of the sentencing policy is deterrence and correction. What sentence would meet the ends of justice depends on the facts and circumstances of each case and the court must keep in mind the gravity of the crime, motive for the crime, nature of the offence and all other attendant circumstances.

13. From the aforementioned observations, it is clear that the principle governing the imposition of punishment will depend upon the facts and circumstances of each case. However, the sentence should be appropriate, adequate, just, proportionate and commensurate with the nature and gravity of the crime and the manner in which the crime is committed. The gravity of the

crime, motive for the crime, nature of the crime and all other attending circumstances have to be borne in mind while imposing the sentence. The court cannot afford to be casual while imposing the sentence, inasmuch as both the crime and the criminal are equally important in the sentencing process. The courts must see that the public does not lose confidence in the judicial system. Imposing inadequate sentences will do more harm to the justice system and may lead to a state where the victim loses confidence in the judicial system and resorts to private vengeance."

ii) In the case of **State of Madhya Pradesh v. Udham** reported in (2019) 10 SCC 300, it is observed and held as under:

11. We are of the opinion that a large number of cases are being filed before this Court, due to insufficient or wrong sentencing undertaken by the courts below. We have time and again cautioned against the cavalier manner in which sentencing is dealt in certain cases. There is no gainsaying that the aspect of sentencing should not be taken for granted, as this part of Criminal Justice System has determinative impact on the society. In light of the same, we are of the opinion that we need to provide further clarity on the same.

12. Sentencing for crimes has to be analysed on the touchstone of three tests viz. crime test, criminal test and comparative proportionality test. Crime test involves factors like extent of planning, choice of weapon, modus of crime, disposal modus (if any), role of the Accused, anti-social or abhorrent character of the crime, state of victim. Criminal test involves assessment of factors such as age of the criminal, gender of the criminal, economic conditions or social background of the criminal, motivation for crime, availability of defence, state of mind, instigation by the deceased or any one from the deceased group, adequately represented in the trial, disagreement by a Judge in the appeal process, repentance, possibility of reformation, prior criminal record (not to take pending cases) and any other relevant factor (not an exhaustive list).

13. Additionally, we may note that under the crime test, seriousness needs to be ascertained. The seriousness of the crime may be ascertained by (i) bodily integrity of the victim;

(ii) loss of material support or amenity; (iii) extent of humiliation; and (iv) privacy breach.

In the said decision, this Court again cautioned against the cavalier manner in which sentencing is dealt with in certain cases."

*iii) In the case of **Satish Kumar Jayanti Lal Dabgar v. State of Gujarat** reported in (2015) 7 SCC 359, this Court has observed and held that the purpose and justification behind sentencing is not only retribution, incapacitation, rehabilitation but deterrence as well."*

23. Considering the instant case in the background of law mentioned above, there are some facts of this case which appears to be admitted to the parties the assault with knife has been alleged by the prosecution witnesses and the appellant / convict is shown to have assaulted the two injured ladies with that knife. Though the injured Gufrana is shown to have sustained a fracture of her parietal bone but in the whole of the record of the trial court there is nothing which may suggest that the injured persons have sustained injuries from the knife. Though a blood stained knife is shown to have been recovered on the pointing of the appellant from below his 'charpoy' lying in his house, however, the finger prints found on that knife did not match with the admitted finger prints of the appellant. There are other two accused persons who have been acquitted by the trial court on account of lack of identification and the trial court in its judgement has only referred to the fracture of the parietal bone of the injured Gufrana while the nature of the injuries sustained by another injured Zeba Wahid has not been noted by the trial court, nor there is any document or injury report available and her injuries have not been properly established/ proved. Thus there is no doubt that though the assault given by the appellant to the two ladies was fatal to their life but it could not be said with certainty as to whether the sharp edge of the knife has been used or blunt part of the knife has been used for committing the offence as the nature of injury has not been noted by any of the medical center where both the injured persons were treated. But the period of their admission in the hospital specially of injured Gufrana would suggest that the injuries sustained by her were life threatening. Appellant was aged about 25 years at the time of the incident. He was also

not having any criminal history. He is in jail in this case for about Six years and six months, without remission and the injuries inflicted on the person of both injured persons have not been noted by any doctor and fracture of left parietal bone of injured Gufrana has been found.

24. Therefore having regard to the above mentioned factors, in the considered opinion of this Court the ends of justice would meet if the appellant is punished with 7 years of rigorous imprisonment pertaining to Section 307 IPC and 5 years rigorous imprisonment for committing offence under Section 452 IPC. Thus, the judgment and order of the trial court is required to be interfered only with regard to the quantum of punishment. However, having regard to the injuries sustained by the two ladies the fine as imposed by the trial court and compensation is also required to be enhanced which may be given to the two injured ladies under Section 357 of Cr.P.C.

25. In result the appeal filed by the appellant is partly allowed while the impugned judgement and order passed by the trial court is affirmed so far as the conviction of the appellant is concerned under Sections 323, 452, 307 IPC and 4/25 Arms Act, however, his sentencing with regard to Section 307 and 452 IPC is modified in terms that the appellant is now sentenced with rigorous imprisonment of 6 and a half years with regard to Section 307 IPC and with 4 years rigorous imprisonment pertaining to commission of offence under Section 452 IPC. The sentencing of the trial court with regard to Section 323 IPC and Section 4/25 Arms Act would remain the same as inflicted by the trial court. However, fine of Rs. 15,000/- and Rs. 5000/- imposed by the trial court with regard to Section 307 and 452 IPC is modified and the appellant is now sentenced to pay fine of Rs. 60,000/- with regard to Section 307 IPC and fine of Rs. 20,000/- for committing offence under Section 452 IPC.

26. Whole of this fine shall be paid to the victims/ both the injured persons in equal proportion. Whole of the fine shall be deposited within 30 days from the release of the appellant from prison. In default of non deposition of fine with regard to Section 307 IPC, appellant shall further undergo imprisonment for one year and for default of payment of fine pertaining to Section 452 IPC, appellant will further undergo imprisonment for six months. Fine imposed by the trial court along with

default punishment will remain the same, as imposed by the trial court pertaining to Section 323 IPC and 4/25 Arms Act. The judgement and order of the trial court is also affirmed on the point that all the sentences would run concurrently and the period of detention of the appellant in prison in this case shall be adjusted in the imprisonment inflicted by this court.

27. A copy of this order be sent to the trial court for information and compliance along with the record of the trial court.

Order Date :- 9.5.2024

Muk