

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2530 OF 2015

ORDER:

The petitioner/A.1 has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order, dated 15.10.2015, passed in CrI.A.P.No.287 of 2013 by the Additional Metropolitan Sessions Judge, Cyberabad, whereby the learned Sessions Judge partly allowed the appeal by reducing the sentence of imprisonment imposed on the petitioner, by order dated 30.04.2013, passed in C.C.No.224 of 2011 by the III Metropolitan Magistrate, Cyberabad, to a period of three months from one year, for the offence under Section 498-A IPC.

Heard and perused the material available on record.

After evaluating and examining the material available on record and considering the respective submissions of the learned counsel for both parties, this Court is of the view that there are no special or adequate reasons, warranting interference by this Court with the concurrent findings of the Courts below.

At this stage, the learned counsel for the petitioner confines his argument with regard to quantum of sentence, and submits that as the petitioner has to look after his old aged parents/A.2 and A.3, who are acquitted by the trial Court, and he is the only breadwinner in his family, a lenient view may be taken by this Court.

Considering the submissions made by the learned counsel for the petitioner and the nature of offence, this Court is inclined to take a lenient view.

The conviction recorded against the petitioner/accused by the Court of the III Metropolitan Magistrate, Cyberabad, at L.B.Nagar, Ranga Reddy

District, for the offence under Section 498-A IPC, by order dated 30.04.2013, in C.C.No.224 of 2011, which is confirmed by the Court of the Additional Metropolitan Sessions Court, Cyberabad, at L.B.Nagar, Ranga Reddy District, by order dated 15.10.2015 in CrI.A.P.No.287 of 2013, is hereby confirmed. However, the sentence of imprisonment imposed by the trial Court for a period of one year, which is modified by the lower appellate Court to a period of three months, is hereby modified to that of the period, which the petitioner/accused has already undergone.

The petitioner/accused shall be released forthwith, if he is not required in any other crime.

The Criminal Revision Case is accordingly disposed of. Consequently, Miscellaneous Petitions pending, if any, stand dismissed.

16.11.2015
pln



JUSTICE RAJA ELANGO