

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1495 OF 2007

ORDER:

The petitioner 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 19.02.2007, passed in Criminal Appeal No.27 of 2006 by the Court of the Sessions Judge, at Karimnagar, whereby the learned Sessions Judge dismissed the appeal by confirming the order dated 18.11.2005, passed in S.C.No.910 of 2011 by the Assistant Sessions Judge at Peddapalli, whereby the learned Judge convicted the petitioner herein for the offence under Section 307 IPC and sentenced him to undergo rigorous imprisonment for a period of five years and to pay a fine of Rs.500/- (Rupees five hundred only), in default of payment of fine, to undergo simple imprisonment for a period of three months.

Heard and perused the material available on record.

After arguing for sometime, learned counsel for the petitioner confines his argument with regard to quantum of sentence. He further submits that the injuries received by the complainant are simple in nature and that the petitioner has no intention to kill the complainant. He further submits that as the petitioner has to look after his wife, children and his old aged mother and that 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.

In the result, the conviction recorded by the trial Court, which is confirmed by the lower appellate Court, against the petitioner herein for the offence Section 307 IPC is hereby confirmed. However, this

Court, taking a lenient view and also as the petitioner has suffered substantial period in prison, modifies the sentence of imprisonment to the period, which the petitioner has already undergone.

The Criminal Revision Case is accordingly disposed of. Consequently, the miscellaneous petitions, if any pending in this revision case, shall stand closed.

JUSTICE RAJA ELANGO

18.07.2016
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