

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.185 OF 2008

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ORDER:

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This Criminal Revision Case is filed by A.1 challenging the judgment of the Metropolitan Sessions Judge, Hyderabad dated 6.2.2008 in so far as dismissing CrI.A.No.306 of 2007 confirming the conviction imposed by XII Additional Chief Metropolitan Magistrate, Hyderabad dated 28.8.2007 in C.C.No.287 of 2003 under Section 12(1)(a)(b) of the Passports Act and imposing the sentence to undergo R.I. for one year.

After arguing for some time, since this Court is not inclined to interfere with the concurrent findings of the Courts below, learned counsel for the petitioner confined his arguments only to the extent of quantum of sentence and prayed this Court to reduce the sentence in the circumstances of the case.

No grounds are made out to interfere with the conviction imposed by the trial Court as confirmed by the lower appellate Court and the concurrent findings are based on appreciation of evidence in proper perspective. Hence, this Court is not inclined to interfere with the conviction imposed by the trial Court, but considering the nature of offence and since the petitioner has already suffered substantial period in prison, this Court is inclined to reduce the sentence of imprisonment.

In the result, the conviction recorded against the petitioner-A.1 by the XII Additional Chief Metropolitan Magistrate, Hyderabad dated 28.8.2007 in C.C.No.287 of 2003 under Section 12(1)(a)(b) of the Passports Act as confirmed by Metropolitan Sessions Judge, Hyderabad dated 6.2.2008 in CrI.A.No.306 of 2007 is hereby confirmed, but the sentence of

R.I. for one year imposed on the petitioner is hereby modified to the period already undergone by him. The sentence of fine is not interfered with. The petitioner shall be released forthwith if not required in any other crime.

With the above modification, the Criminal Revision Case is disposed of.

Miscellaneous petitions, if any, filed in this revision shall stand closed.

JUSTICE RAJA ELANGO

18.07.2016

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