

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.313 of 2017

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Bhabhikshan Ram, son of Sonafi Ram, resident of Village and
P.O.- Chilara, P.S.- Sonbarsa, Dist- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Respondent/s : Mr. Shyam Bihari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL JUDGMENT & ORDER

Date: 24-04-2017

Heard the parties.

2. This criminal revision application, under Sections 397 and 401 of the Code of Criminal Procedure, has been preferred against the order, dated 16.03.2012, passed by the learned Additional District and Sessions Judge, Fast Track Court No. 2, Sitamarhi, in Cr. Appeal No. 43 of 1999, whereby, he has affirmed the judgment and order, dated 29.06.1999, of conviction and sentence passed by the learned Judicial Magistrate, Ist Class, Sitamarhi, in G.R. No. 1668 of 1995/T.R. No. 129 of 1999, in connection with



Sonbarsha P.S. Case No. 102 of 1995.

3. The petitioner stands convicted of the offence punishable under Section 498A, 323, 341 and 504 of the Indian Penal Code. He was sentenced to undergo imprisonment for one year for the proved offence punishable under Section 498A of the Indian Penal Code and for the other offences, imprisonment for a period of three months. The findings of conviction, recorded by the learned trial Court, have been affirmed by the learned appellate Court by impugned order, dated 16.03.2012.

4. The petitioner is in custody since 20.02.2017 after his conviction and during the period of investigation also, he was in custody for a period of nearly one month.

5. Learned counsel, appearing on behalf of the petitioner and informant, have jointly submitted that they have resolved their matrimonial dispute and they have started living together happily. An affidavit to this extent has been filed on behalf of the informant today. Let it be kept on record.

6. Considering the facts and circumstances of the case and the materials available on the record, coupled with the stand taken on behalf of the informant, without interfering with the findings of conviction, recorded by the courts below, this revision application is disposed of by



modifying the sentence of imprisonment. Accordingly, the sentence of imprisonment, awarded by the courts below, is, hereby, reduced to the period of custody already undergone by the petitioner.

7. This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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