

Simple imprisonment for a term of one year with fine of Rs. 2000/-. In case of default in payment of fine, convict shall further undergo simple imprisonment for a term of fifteen days.

CRR No. 3174 of 2017 (O/M)

Both the sentences were directed to run concurrently.

Heard.

Before the trial Court, three persons were tried, out of which present revisionist Rajender was convicted. The judgment of lower Court shows that injured Narender Kumar was attacked at Railway Station Nawan, District Mahendergarh, Haryana, allegedly by four persons. The injury on the little finger, which was a fracture, has been attributed to present revisionist. The lower Court has given benefit of doubt to two of the co-accused of revisionist. However, the statements of injured Narender Kumar and Rohtash establishes that present revisionist was the person, who caused the fracture on the little finger of injured. The statements of injured and eye witness are supported by medical evidence. Therefore, there is no illegality or infirmity in the findings recorded by both the Courts below.

Faced with this situation, the learned counsel for revisionist presses the revision only on the quantum of sentence.

Considering that there is only one injury on the little finger, which was a fracture, the sentence of simple imprisonment for one year, awarded under Section 325 IPC, is reduced to simple imprisonment for six months. The remaining part of sentence under Sections 325 and 323 IPC is maintained.

With the abovenoted modification, revision is dismissed.

(KULDIP SINGH)
JUDGE

7.9.2017
sjks

Whether speaking / reasoned	:	Yes
Whether Reportable	:	No