

SIMARJIT SINGH VS STATE OF PUNJAB ETC.

Present: Mr. Navkiran Singh, Advocate, for the appellant.

Complainant has preferred an appeal along with application for leave to file appeal seeking enhancement of the sentence claiming that the quantum of sentence awarded to respondents No.2, 3, 5, 6 and 7 is inadequate and it should have been more severe. So far as respondents No.4 and 8 are concerned, they have been acquitted while giving them benefit of doubt observing their role attributed i.e. *lalkara* and kick blow respectively.

Leave to appeal against inadequate sentence awarded to respondents No.2, 3, 5, 6 and 7 is granted.

Appeal be registered. Admitted.

To be heard along with CRA-D-154-DB-2017.

Since the parameters for consideration of an appeal against acquittal and the parameters for determination of quantum of sentence qua the accused found guilty are different it is directed that the appeal against acquittal of respondents No.4 and 8 can be filed separately. In case the appeal is filed within a period of one month, the same will be deemed to have been instituted within the period of limitation. The instant application for leave to appeal against acquittal of respondents No.4 and 8 is dismissed as withdrawn.

(M.M.S. Bedi)
Judge

(Gurvinder Singh Gill)
Judge

January 24, 2018

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