

IN THE HIGH COURT OF ORISSA AT CUTTACK
ICRLA No.01 of 2012

Ismail Kerketta

....

Appellant

Mr. S.S. Ray(2), Amicus Curiae

-versus-

State of Orissa

....

Respondent

Mr. S.S. Kanungo, AGA

CORAM:

MR. JUSTICE D. DASH

DR. JUSTICE S.K. PANIGRAHI

Order

No.

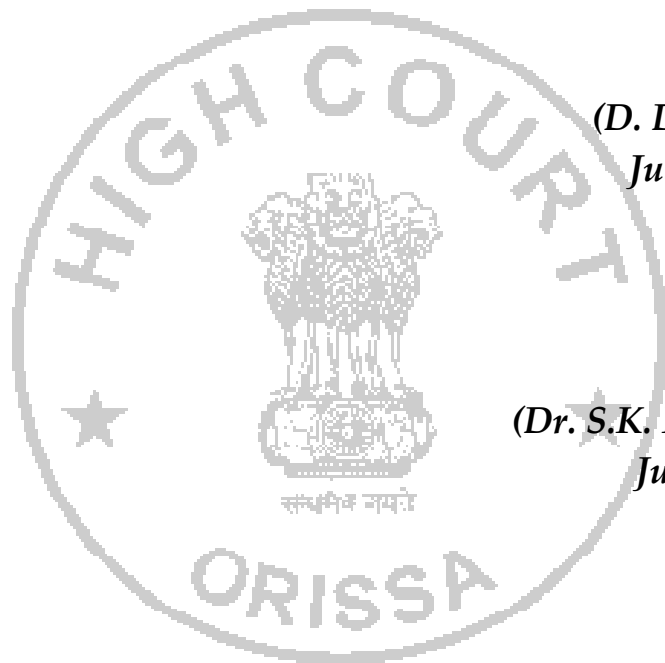
ORDER

08.12.2022

05. 1. This matter is taken up through hybrid arrangement (virtual / physical) mode.
2. Learned counsel for the parties are present. Judgment prepared in separate sheets is delivered and pronounced in open Court in the presence of learned counsel for the parties and the order is passed accordingly as follows:-
3. Therefore, we allow the Appeal in part. The conviction for commission of the offence under Section 302 of the I.P.C. and sentence to undergo imprisonment for life and to pay a fine of Rs.3,000/- in default to undergo R.I. for six months recorded by the learned Ad hoc Additional Sessions Judge, Sundargarh in Sessions Trial No.100/32 of

2011 as per the judgment of conviction and order of sentence dated 22.09.2011 are hereby set aside. Instead, the Appellant is convicted for the offence under Section 304, Part-I of the I.P.C. and sentenced to undergo R.I. for 10 years.

4. With such observations, the Appeal is disposed of.



(D. Dash)
Judge

(Dr. S.K. Panigrahi)
Judge

B.Jhankar