

**(2000) 09 AHC CK 0103**  
**In the Allahabad High Court**  
**Case No : Criminal Revision No. 2024 of 2000**

Dasha Mani Shukla and Anr.

APPELLANT

Vs

State of U.P.& Ors.

RESPONDENT

**Date of Decision :** 04-09-2000

**Acts Referred:**

Criminal Procedure Code, 1973 (CrPC) — Section 397, 401  
Penal Code, 1860 (IPC) — Section 323, 325

**Citation :** (2000) 09 AHC CK 0103

**Hon'ble Judges :** U.S.Tripathi, J

**Final Decision :** Dismissed

## Judgement

U. S. Tripathi, J.—Heard learned Counsel for the applicants, Sri Sunil Singh learned Counsel for the complainant and the learned AGA.

2. This revision has been preferred against the judgment and order dated 2832000 passed by Sri I.E. Singh, Spl. Judge, (E.G. Act) Varanasi in Criminal Appeal No. 67 of 1991, partly allowing the appeal against the appellant No. 2 Khiladi alias Dinesh Shukla and releasing him on probation and dismissing the appeal of appellant No. 1 Dasha Mani Shukla and sentencing him to undergo RI for a period of 6 months and fine of Rs. 500/ under Section 325 and RI for a period of three months and fine of Rs. 100/ under Section 323, IPC.

3. It appears that in the trial the learned Magistrate convicted the appellants under Sections 323 and 325, IPC and sentenced him to undergo for RI for one year and to pay fine of Rs. 500/ under Section 325, IPC and RI for a period of three months and fine of Rs. 100/ under Section 323, IPC. In appeal the appellate Court passed the order mentioned above,

4. The learned Counsel for the applicants has not pressed the revision on merit but has argued that the sentence awarded to applicant Dasha Mani Shukla is rather excessive. leaving heard the parties learned Counsel and perusing the judgment as well as considering the date of incident which is 1351987 and long run trial I am of the view that the sentence of imprisonment of applicant Dasha

Mani Shukla is liable to be reduced to RI for a period of 15 days and (sic) concerned the sentence of imprisonment is set aside and fine of Rs. 100/ is enhanced to Rs. 200/. No interference is required in release of applicant Khiladi alias Dinesh on probation on the terms and conditions imposed by the appellate Court. With these modifications in the sentence and fine the revision is dismissed. The fine as awarded by this Court may be deposited before the trial Court within a week from today,

8. Copy of this order shall be made available to the learned Counsel for the applicants on payment of usual charges within two days.

Revision dismissed.