
(1999) 07 AHC CK 0100
In the Allahabad High Court
Case No : Criminal Revision No. 1077 of 1999

Khem Karan

APPELLANT

Vs

State of U.P.& Ors.

RESPONDENT

Date of Decision : 05-07-1999

Acts Referred:

Penal Code, 1860 (IPC) — Section 354

Citation : (1999) 07 AHC CK 0100

Hon'ble Judges : B.K.Rathi, J

Final Decision : Allowed

Judgement

B.K. Kathi, J.—This is a revision under Sections 397/401 Cr. P.C. against the order dated 4599 passed by the VHith Additional Sessions Judge, Pilibhit in Criminal Appeal No. 32 of 1998 by which he maintained the conviction of the applicant for the offence under Section 354, I.P.C. and sentence for a period of six months recorded by the Magistrate.

2. The revision was filed on 26599. The record was summoned, but the same has not been received.

3. The learned counsel for the applicant has argued on the question of sentence and has prayed that he be released now and the sentence for the period for which the applicant had been in jail, may be awarded. I have considered the arguments.

4. The judgment shows that no injury was caused. The only allegation is that the applicant caught hold of the breasts of the victim, The applicant is in jail for more than two months. It is argued that he was in jail for 1415 days before trial.

5. As the revision has not been argued on merits. I maintain the conviction of the applicant under Section 354, IPC. However, the sentence is modified and the applicant is awarded sentence to the period to which he had been in jail. He