

Inder Singh and Another

Vs

State of Madhya Pradesh

Criminal Appeal No. 297 of 1971

(P. N. Bhagwati, V. R. Krishna Iyer, Syed M. Fazal Ali JJ)

13.09.1976

JUDGMENT

BHAGWATI J.

This appeal by special leave is limited only to the question as to the nature of the offence committed by the appellants and the sentence to be imposed on them. We have gone through the relevant part of the evidence and we do not find any reason for altering the conviction of the appellants from one under Section 302 read with Section 149 of the Indian Penal Code to any lesser offence. The evidence shows that no less than 12 injuries were caused to the deceased and at least one of them was on a vital part of the body, namely, the parietal region. Also the weapons which were used by the appellants were lohngis, ironshod sticks, which are clearly lethal weapons. We do not think that in the circumstances the High Court was in error in convicting the appellants of the offence under Section 302 read with Section 149 of the Indian Penal Code. We accordingly confirm the conviction and sentence recorded against the appellants and dismiss the appeal.

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