

SUPREME COURT OF INDIA

Bansi Lal

Vs.

State of Madhya Pradesh

(O. Chinnappa Reddy and S. Murtaza Fazal Ali JJ.)

10.02.1981

ORDER

The Text below is only a summarized version of the order pronounced

The appeal by special leave was limited to the question of the nature of the offence and the sentence to be imposed therefore on the appellant who was convicted for an offence under Part I of Section 304 and sentenced to imprisonment for life by the trial court and the High Court. The Trial Court was of the opinion that the appellant had no intention to cause the death but he had knowledge that death was likely to result from his act. The High Court did not agree with the reasoning of the Trial Court and was of the opinion that the appellant had committed murder under Section 302 of the IPC but refused to interfere with the judgment of the Trial Court. The Supreme Court held that there was no reason to interfere with the conviction and the sentence and held that the offence really fell under Section 302. The court held that the injuries caused was actually intended and that being so, the requirement of Thirdly of Section 300 of the IPC was satisfied. Therefore the impugned judgment was not altered and the appeal dismissed.