

ITEM NO.21 Court 13 (Video Conferencing) SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 7830/2021

(Arising out of impugned final judgment and order dated 04-10-2019 in DBCRA No. 55/2014 passed by the High Court Of Judicature For Rajasthan At Jodhpur)

NARENDRA SINGH @ MUKESH @ BHURA Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN Respondent(s)

(FOR ADMISSION and I.R. and IA No.89327/2021-CONDONATION OF DELAY IN FILING and IA No.89335/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.89329/2021-EXEMPTION FROM FILING O.T.)

Date : 28-02-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) A. Sirajudeen Sr. Adv.
 Mr. Naresh Kumar, AOR

For Respondent(s) Mr. Anish Maheshwari, Adv
 Mr. Yunus Malik, Adv
 Mr. Aman Malik, Adv
 Mr. Harsha Vinoy, Adv
 Ms. Shubhi Bhardwaj, Adv
 Mr. Milind Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

The petitioner is convicted for the offence punishable under Section 302 of the IPC by judgment dated 19.12.2013 of the learned trial court and sentenced to life imprisonment which shall be extended to remainder of life, that came to be confirmed by the High Court on dismissal of appeal filed by the petitioner by

judgment impugned dated 04.10.2019.

Learned Counsel for the petitioner has made a limited submission before this Court which has been noticed by us in our order dated 06.10.2021, referred hereunder:-

" Learned Senior Counsel appearing on behalf of the petitioner submits that while convicting the petitioner for offence punishable under Section 302 of the IPC, the Ld.Trial Judge has punished him with life imprisonment for the entire life span which according to the learned senior counsel is beyond jurisdiction of the Ld.Trial Judge and placed reliance on the judgment of this Court reported in 2016 (7) SCC 1.

Issue notice, for this limited purpose."

After we have heard the learned Counsel for the parties and taking note of the Constitution Bench judgment of this Court reported in 2016 (7) SCC 1, the sentence of life imprisonment which shall be extended to remainder of life passed by the learned trial court by judgment dated 19.12.2013 and confirmed by the High Court on dismissal of appeal stands modified with the sentence for imprisonment for life.

With these observations/clarifications, the Special Leave Petition stands disposed of.

Pending application(s), if any, shall stand disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)