

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 517 OF 2004

BRIJ LAL & ORS.

APPELLANTS

VERSUS

STATE OF U.P.

RESPONDENT

O R D E R

The accused were convicted under Sections 147, 324/149, 323/194 and 302/149 of the Indian Penal Code by the Sessions Court. An appeal was thereafter taken to the High Court and the only argument was with regard to the nature of the offence. The High Court by the impugned judgment has allowed the appeal to the extent that the conviction under Section 302/34 has been set aside and the accused have been held guilty for the offence punishable under Section 304 Part II of the 149 IPC.

We have gone through the medical and other evidence with the help of the learned counsel for the parties. We find no reason whatsoever to interfere in this matter. The appeal is, accordingly, dismissed.

.....J
[HARJIT SINGH BEDI]

.....J
[CHANDRAMAULI KR. PRASAD]

**NEW DELHI,
NOVEMBER 23, 2010.**

