



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.5028 OF 2025
(Arising out of S.L.P.(Crl.)No.9598 of 2025)**

DEEPANKAR TIKEDAR

... Appellant

VERSUS

STATE OF CHHATISGARH

... Respondent

ORDER

Rajesh Bindal, J.

1. Leave granted.
2. In the present appeal, the judgment of the High Court¹ in CRA No. 1916 of 2023 dated 25.09.2024, has been impugned, whereby conviction of the appellant under Section 376(3) of the Indian Penal Code, 1872² and Section 6 of the Protection of Children from Sexual Offences Act, 2012³ was upheld. Sentence of life imprisonment until natural death, as awarded by the Trial Court, was also upheld.
3. The brief facts of the case are that FIR No. 08/2022 dated 04.05.2022 was registered against the appellant for the offences

1 High Court of Chhattisgarh at Bilaspur

2 Hereinafter, "IPC"

3 Hereinafter, "POCSO Act"

committed under Section 375 of the IPC and Section 6 of the POCSO Act. After trial, the appellant was convicted under Section 376(3) of the IPC and Section 6 of the POCSO Act and sentenced to life imprisonment until natural death by the Trial Court in Special Sessions (POCSO) Case No. 29/2022 vide judgement dated 13.07.2023. In appeal before the High Court,⁴ the judgment of conviction and order of sentence were upheld.

4. Learned Counsel for the appellant submitted that he does not wish to contest the conviction of the appellant. However, in the light of facts and circumstances, indulgence is sought from this Court for awarding a limited period sentence instead of life imprisonment till natural death. He further submitted that the appellant has no other criminal antecedents and his conduct in the jail has been satisfactory as there have been no complaints against him during his period of custody.

5. On the other hand, learned Counsel for the State submitted that it is a case in which the appellant has spoiled the life of a minor girl who was merely 15 to 16 years of age at the time when the offence was committed. Considering the aforesaid fact, the appellant does not deserve to be granted any leniency by this Court.

6. Heard learned Counsel for the parties and perused the relevant records.

⁴ Criminal Appeal (CRA) No. 1916 of 2023

7. It is not in dispute that the appellant herein has been convicted under Section 376(3) of the IPC and Section 6 of the POCSO Act and sentenced to undergo life imprisonment till natural death. The offence is also grievous. However, considering the age of the appellant and also that there are no antecedents and further his conduct during custody has been satisfactory, the sentence of life imprisonment till natural death can be converted to limited period. We hereby reduce the sentence awarded to the appellant to a fixed term of 25 years actual imprisonment without remission. This court can exercise such a power in view of law laid down in ***Shiva Kumar @ Shiva @ Shivamurthy v. State of Karnataka.***

8. For the reasons mentioned above, the criminal appeal is partially allowed. The impugned order passed by the High Court is modified to the extent mentioned above.

9. Pending application also stands disposed of.

.....J.
(RAJESH BINDAL)

.....J.
(MANMOHAN)

NEW DELHI;
November 25, 2025.