IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 271 of 2017

Lallu Singh, Son of Guna Singh, Resident of Village-Aan, P.O. & P.S.-Chandwa, Dist. Latehar, State-Jharkhand

... . Petitioner

Versus

The State of Jharkhand **.... .... Opposite Party**

For the Petitioner : Mr. Chandan Kumar, Advocate
For the State : Mrs. Bandana Sinha, A.P.P.

PRESENT
CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA
ORDERS

Dated:01st July, 2026

1. Heard the arguments of learned counsel for the petitioner and learned APP appearing for the State.

2. The instant criminal revision is preferred against the judgment dated 18th August, 2016 passed in Cr. Appeal No.46 of 2013 by the learned 1st Addl. Sessions Judge, Latehar, whereby and whereunder, the judgment and order of conviction and sentence dated 28.06.2013 in Barkakana Rail P.S. Case No. 33 of 2008 corresponding to G.R. Case No. 2228 of 2008 (T.R. No. 410 of 2013) passed by Railway Judicial Magistrate, Daltonganj directing the petitioner to undergo R.I. for 2 years and fine of Rs. 1000/- under section 25 (1-B)a of Arms Act and further R.I. for 1 year and fine Rs. 1000/- under Section 26 of the Arms Act, has been upheld. All the sentences were directed to run concurrently, with default stipulation.

Factual Matrix:-

3. The factual matrix giving rise to this case is that on 29.12.2008 at 7:00 AM, the informant received secret information that

some miscreants have boarded the train to commit robbery. Thereafter, the informant along with 11 other police personnel encircled the bogey No. EC06437 and apprehended one person namely Lallu Singh (present petitioner) and on search, the police recovered some arms and ammunitions including pistol and cartridges and seizure list was prepared and petitioner was arrested.

On the basis of the written report of Informant, Barkakana Rail P.S. Case No. 33 of 2008 was registered for the offence under Section 25(1-B)a and 26 of Arms Act against the present petitioner.

After completion of investigation, charge-sheet was submitted against the petitioner and accordingly, cognizance was taken and charge for the aforesaid offence was framed against the accused person, which was read over and explained to him in Hindi to which the accused pleaded not guilty and claimed to be tried.

4. In the course of trial, altogether 13 witnesses were examined by the prosecution, apart from the documentary evidence.
5. On the other hand, no oral or documentary evidence has been adduced by the defence. The case of defence in the statement recorded under Section 313 Cr.P.C. is that the petitioner is innocent and has falsely been implicated.

6. The learned trial Court after appreciating the evidence available on record held the petitioner guilty for the offence under Sections 25(1-B)a and 26 of Arms Act which was also affirmed by learned Appellate Court.

Submissions on behalf of petitioner: -

7. Learned counsel for the petitioner without touching the merits of the judgment passed by the learned appellate Court as well as learned trial Court has submitted that the petitioner has been convicted and sentenced for maximum period of two years of rigorous imprisonment for the offence under Section 25(1-B)a of the Arms Act and the petitioner has already remained in custody for 9 months. It has further been submitted that since the occurrence is of the year 2008, the case has become stale one and the petitioner has also faced the agony of the trial of this case, therefore, the petitioner has sufficiently been punished for his guilt. Hence, it is submitted that by taking lenient view, the sentence awarded to the petitioner may be reduced to the imprisonment already undergone by him to meet the ends of justice.

Submissions on behalf of the State

8. Per contra, Learned APP has defended the judgment of learned trial Court as well as the appellate Court on merits. So far as quantum of sentence is concerned, it is submitted that this case is stale one, of the year 2008 and the petitioner

has remained in custody for about 9 months, hence appropriate order may be passed for the ends of justice.

Analysis, reasons and decision:

9. I have gone through the record of case along with impugned judgment passed by the learned Appellate Court as well as trial Court in the light of contentions raised on behalf of respective parties.

10. It appears from the evaluation of testimony of prosecution witnesses as well as the documentary evidence as exhibited in this case that Lallu Singh (present petitioner) was in possession of effective and functional pistol and cartridges which were produced before the Court during evidence by P.W.-10 Bilfred Lakra and the same has been inspected by P.W.-13, Sergeant Major Naveen Kumar Lakra being Ballistic Expert. Therefore, the conviction of the petitioner passed by the learned trial Court and upheld by the learned appellate Court is hereby affirmed.

11. So far as the sentence of the petitioner is concerned, it appears that the occurrence is of the year 2008 and since then, near about two decades have elapsed and the petitioner is now leading a normal life who has suffered long agony of the trial and has remained in custody for 9 months, therefore, no useful purpose would be served by sending the petitioner again in jail for sustaining the rest of the imprisonment.

Hence, it appears expedient, for the ends of justice to modify/alter the sentence of the petitioner.

12. Accordingly, the sentence of the petitioner is modified to the extent of period already undergone by the petitioner.
13. Accordingly, this criminal revision is **dismissed on merits** with modification in sentence as stated above.
14. Petitioner is on bail, hence, he is discharged from the liabilities of bail bonds. The sureties are also discharged.
15. Pending I.A(s), if any, is also disposed of, accordingly.
16. Let a copy of this judgment along with Trial Court Records be sent back to the court concerned for information and needful.

(Pradeep Kumar Srivastava, J.)

Jharkhand High Court, Ranchi
Dated: 01/07/2026
Basant/ **NAFR**
Uploaded On: 02/07/2026