

## Kundan Singh vs State Of Punjab on 20 April, 1981

**Equivalent citations:** AIR1982SC62, 1982CRILJ626, (1982)3SCC213, AIR 1982 SUPREME COURT 62, 1982 CRI. L. J. 626(2), (1983) GUJ LH 32.1, 1982 SCC (CRI) 700.1, 1982 (3) SCC 213

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**Bench:** A. Varadarajan, P.N. Bhagwati

### JUDGMENT

P.N. Bhagwati, J.

1. We are of the view that having regard to the facts and circumstances of the present case and particularly in view of the fact that P.W. 6 and P.W. 7 were in the courtyard of their house when the appellant fired gun shots and he could not, therefore, have intended to injure them, the conviction of the appellant under Section 307, I.P.C. was not justified. We think that the conviction of the appellant could be maintained only under Section 324 of the I.P.C. since P.W. 6 and P.W. 7 received simple injuries. We accordingly allow the appeal and alter the conviction of the appellant to one under Section 324 of the for causing simple injuries to P.W. 6 and P.W. 7 and since the appellant has already suffered imprisonment for about 16 months, we direct that the sentence imposed on the appellant be reduced to that already undergone by him and ha may be set at liberty forthwith.