

IN THE COURT OF ADDL.DISTRICT & SESSIONS JUDGE-I
AIZAWL JUDICIAL DISTRICT, AIZAWL

Criminal Revision No.21/2015

A/o CrI.Tr.No.611/2014 U/S 380 IPC(KLB)

State of Mizoram : Complainant

Vrs

Lalrinfela : Petitioner

BEFORE

Vanlalmawia

Addl.District & Sessions Judge-I

PRESENT

For the opposite party	:	Lily Parmawii Hmar, APP
For the Petitioner	:	R.Lalhmingmawia
Date of Hearing	:	3.6.2015
Date of order	:	3.6.2015

ORDER

Accused on interim bail Shri Lalrinfela is present. Today is fixed for final hearing of bail petition.

The Id. counsel for the convict petitioner submitted that the convict petitioner had undergone 120 days on jail and he has been suffering from Hepatitis B and C. As such, he has been doing medical treatment regularly. It is further submitted that the convict petitioner is the sole bread winner of the family, and he is looking after his old aged mother, as such detention or conviction in jail may cause serious hardship to his family. Hence prays to set aside the impugned judgment and order dated 11.2.15 for the end of justice.

In the meantime the Id PP strongly objected on the ground that the convict petitioner admitted his guilty, as such the Id lower court did not

committed any mistake at the time of taking trial. Hence, prays the court not to set off the Id. lower court conviction order.

In view of the submission of both parties and after careful perusal of documents available on the record, I found that the convict petitioner Lalrinfela had committed an offence punishable u/s 380 IPC and there is no err or any mistake committed by the Id. lower court at the time of consideration of charge. However, it is certain that the convict petitioner has been suffering from Hepatitis B and C and his treatment is still going on. So, if he is convicted in jail, he may not received proper treatment as submitted by the Kolasib District Jail Doctor/Medical in charge.

Moreover, the accused had under gone 120 days in jail and Hepatitis vaccine could not be obtained inside jail. So, I therefore set off the judgment and order passed by the H.Lalduhsanga, judicial Magistrate, First class, Kolasib in with CrI.Tr.No.611/2014 U/S 380 IPC for the end of justice.

And the judgment and order dated 11/2/2015, CrI.Tr.No.611/2014 u/s 380 IPC IPC . Perused by Judicial Magistrate First Class Kolasib may be set-off, and the convict petitioner Lalrinfela be release if not needed in other case.

Hence, this criminal revision petition be disposed off.

Give copy of this order to all concerned.

Send back the lower court case record.

Sd/- VANLALMAWIA
Addl.District & Sessions Judge
Aizawl Judicial District,Aizawl

Memo No ____/ADJ-I(A)/2015 : Dated Aizawl the, 3rd June 2015

Copy to :-

1. District & Sessions Judge.
2. Accused Lalrinfela C/o R.Lalhmingmawia Advocate.
3. Chief Judicial Magistrate, Kolasib District with case record return of CrI.Tr.No.611/2014.
4. Judicial Section
5. Case record.
6. Guard

PESHKAR