

IN THE COURT OF ADDITIONAL SESSIONS JUDGE
AIZAWL JUDICIAL DISTRICT, AIZAWL, MIZORAM.

Present : Shri Vanlalenmawia, MJS
Additional Sessions Judge,
Aizawl Judicial District, Aizawl.

Criminal Revision No. 105 of 2015

Sh. T. Ramzauva
Superintendent,
District Jail, Aizawl.

.....Petitioner

-Versus-

The State of Mizoram.

..... ..Respondent

APPEARANCE

For the petitioner	:	Shri R. Thangkanglova, Advocate
For the O.P.	:	Shri Joseph Lalfakawma, Addl. P.P.

Hearing	:	9.12.2015
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Order delivered on	:	9.12.2015
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ORDER

The application has been filed by the Superintendent, District Jail, Aizawl for revision of sentence to avoid judicial death of the convict Omita Ranjan. The petition is transferred to me by the Id. Sessions Judge, Aizawl for disposal. In the application filed by him, it is stated that the convict was arrested in connection with the offence u/s 24 of the Juvenile Justice (Care and Protection of Children) Act, 2000. It is also further stated in the petition that the convict was sentenced to undergo 1 year Simple Imprisonment with a fine of Rs. 2,000/- in default of fine for another 2 months. The application has been registered as Revision Petition No. 105/2015 as provided by section 53 of the Juvenile Justice (Care and Protection of Children) Act, 2000.

2. Shri R. Thangkanglova, Id. Counsel is appointed to defend the case of the petitioner at the expense of State.

3. The records of the Id. Lower Court is available before me for perusal.

4. I have heard the Id. Counsel Shri R. Thangkanglova appearing for the convict. In his submission before me, the Id. Counsel submits that the convict has epilepsy. According to the Id. Counsel, the petitioner has felt that the convict would meet death if he is not released from judicial custody. The Id. Counsel has also submitted that there is no medical facility in the District Jail for giving treatment to the convict.

5. I have also heard the Id. Addl. PP.

6. On hearing the submission of the Id. Counsel as well as the Id. Addl. PP and on perusal of the application, I find that the sentence passed against the convict is severe and requires interference of this Court. Accordingly, the sentence passed against the convict is reduced to the period undergone by him in judicial custody.

7. Issue Release Order.

8. Hence, the petition is disposed off.

9. Send back the LCR to the Id. CJM, Aizawl.

Sd/- VANLALENMAWIA
Addl. Sessions Judge,
Aizawl Judicial District,
Aizawl, Mizoram

Memo No._____/AD&SJ(A)/2015 : Dated Aizawl, the 9th December, 2015

Copy to: -

1. Shri T. Ramzauva (Petitioner), Superintendent, District Jail, Aizawl.
2. Sessions Judge, Aizawl Judicial District, Aizawl.
3. Chief Judicial Magistrate, Mamit District, Mamit.
4. PP / Addl. PP.
5. Special Superintendent, Central Jail, Aizawl.
6. DSP (Prosecution), District Court, Aizawl.
7. Registration Section.
8. Guard File.
9. Case Record.
10. Calendar Judgment.

P E S H K A R