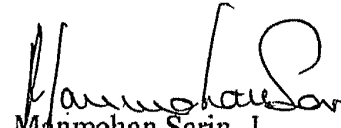
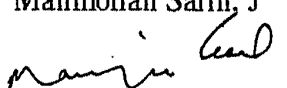


Sr. No.	Date	Orders
		<p data-bbox="459 268 638 301">% 13.09.2005</p> <p data-bbox="459 312 1136 388">Present: Ms. Mukta Guta for the State/appellant Mr. Mohit Mathur for the respondent</p> <p data-bbox="459 438 995 471">+<u>CrI.M.A. 6091//2004 & CrI.A. 514/2004</u></p> <p data-bbox="459 482 478 504">*</p> <p data-bbox="459 570 1525 1618">This is an application for grant of leave to appeal which is hopelessly barred by limitation. Leaving aside the question of limitation, we find that in essence the grounds ought to be urged are that there has been violation of Section 27(3) of the Arms Act and accordingly capital punishment ought to have been imposed. The said submissions proceeds on a misreading of the provisions of sub-section (3) of Section 27 of the Arms Act. It is only in the case of use of prohibited ammunition and prohibited arms that capital punishment is provided for. In the present case the weapon used is a service revolver which would not fall within the category of prohibited arms under Section 2(i) of the Arms Act. We are, therefore, not persuaded that this is a fit case for entertaining the appeal for enhancement of sentence, where the respondent has already been sentenced to life imprisonment and the appeal of the respondent is already pending. Appeal is dismissed.</p> <div data-bbox="1117 1651 1586 1924">  Manmohan Sarin, J  Manju Goel, J </div> <p data-bbox="459 1930 718 2011">September 13, 2005 aj</p>

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