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Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC – NET examination and has been awarded ICSSR – Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

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CASE COMMENTARY ON RAJA KHAN V. STATE OF CHHATTISGARH: TOUCHING THE UNTOUCHED

AUTHORED BY - ANKITA JAKHMOLA¹

Case Name: *Raja Khan v. State of Chhattisgarh*

Bench: JJ Sanjay Karol & Manmohan

Date of Judgement: February 7, 2025

I. INTRODUCTION

The role of Indian Judiciary in an adversarial system maximises while ensuring transparency, equity and justice while passing verdicts. Their remarks are not only crucial for the parties to the case but are looked by various stakeholders in order to derive conclusion regarding the same aspect. One such case is *Raja Khan v. State of Chhattisgarh*² wherein the hon'ble Supreme Court of India addressed the provisions of Section 307³ related to sentencing policy of the convicted person in the Indian Penal Code (IPC). Section 307 deals with attempt to murder which is a heinous offence demanding a stringent punishment to equate with the offence committed. The verdict passed in this case is of great essence as it provides a clarity on the upper limit of sentences which can be imposed if life imprisonment is not awarded as a punishment. Sentencing policies in criminal matters require intensive judicial discretion within the framework provided by the legislation. Time and again, the Hon'ble Supreme Court has quoted that "Sentencing in India is a midway between judicial intuition and strict application of rule of law."⁴ However, discrepancies arise when courts impose punishments exceeding statutory limits provided by the legislature. In the instant case, the High Court of Chhattisgarh had sentenced Raja Khan to a rigorous imprisonment of 12 years which was later challenged before the Hon'ble Apex Court. Apex Court's decision not only corrected the error but also reinforced principle of limiting the judgements and verdicts to statutory provisions.

This verdict plays a crucial role for manifold reasons wherein it establishes a stringent and definite precedent on sentencing norms limited under section 307 IPC. In a similar context, this verdict highlights the importance of judicial oversight in ensuring ratio and proportionality in

¹ Asst. Professor, School of Law, Graphic Era Hill University, Dehradun.

² *Raja Khan v. State of Chhattisgarh* (2025) INSC 167 (India)

³ Indian Penal Code, S 307, Act No. 45 of 1860, S 307 (India).

⁴ *Accused 'X' v. State of Maharashtra*, (2019) 7 SCC 1 (India).

sentencing policies which protects the individuals from excessive penalties deviating from the statutory guidelines. Therefore, *Raja Khan v. State of Chhattisgarh* highlights the importance of upholding rule of law and reiterates the necessity of aligning judicial decision with legislative intent. By analysing this case law, the readers will gain an insight into the application of sentencing norms, the role of Appellate Courts in setting aside sentences exceeding statutory limits and sentencing jurisprudence in India.

II. BRIEF FACTS OF THE CASE

That, in the present case Raja Khan was accused of attempting murder of a local businessman, Arvind Verma (victim) over a financial dispute in Raipur, Chhattisgarh. That, on June 15, 2018 Raja Khan along with his two friends (accomplices) ambushed the victim with a sharp weapon near his residence owing to which the victim suffered multiple injuries, including deep lacerations on his neck and arms. That, Raja Khan allegedly fled the crime scene after the intervention of local bypassers was initiated. That, upon rushing the victim to the hospital, it was observed that he sustained fatal injuries which could have led to his death if immediate medical treatment would not have been provided. That on the similar grounds an FIR was lodged by the victim's family followed by an arrest of Raja Khan on the subsequent day. That, during investigation, statements of the witnesses were recorded which identified Raja Khan as the assailant. That, additionally, forensic evidence, including bloodstained clothes and the weapon used in the attack, was recovered from the possession of the accused. That, the Sessions Court found Raja Khan guilty under Section 307 and sentenced him to 7 years of imprisonment. That, the same was taken before the Chhattisgarh High Court under appeal and the High Court enhanced the punishment of Raja Khan from 7 years to 12 years of rigorous imprisonment, citing that the severity of the crime was fatal and the accused must learn a lesson for committing near-fatal nature of attack. That, aggrieved by the decision of the High Court of Chhattisgarh⁵, the accused knocked the doors of Hon'ble Supreme Court of India thereby challenging the enhancement in the sentence under section 307 IPC given by the Hon'ble High Court.

III. ISSUES RAISED

1. Whether or not the term of 12 years of sentence under Section 307 IPC exceeds the maximum punishment prescribed under the law?
2. Whether or not the High Court of Chhattisgarh erred in enhancing the sentence term

⁵ Ibid. at 2

from 7 years to 12 years without sufficient justification?

3. Whether or not the judicial discretion in sentencing was exercised appropriately in this case?

IV. JUDGEMENT

The Hon'ble Supreme Court observed that an accused can be sentenced to Life Imprisonment under the Bare Act provision of Section 307 IPC however if life imprisonment is not awarded then the criteria of imprisonment must be awarded as per the Section which is permissible only upto 10 years.⁶ In this case the Hon'ble Supreme Court ruled that the High Court of Chhattisgarh had erroneously imposed a sentence which exceeds the statutory limits of Section 307 and in the light of the same, the Hon'ble court found it expedient and in the interest of justice to reduce the sentence from 12 years to 10 years.

V. LEGAL ANALYSIS

Considering from a legal point of view, this judgement reinforces adherence to the principle of statutory limits of a section as well as sentencing norms unless in exceptional circumstances. It highlights that the discretion of the court or the judicial mind of the judge cannot override clear statutory provisions as prescribed under the law. The decision aligns with the Doctrine of Proportionality which states that the proportion of punishment must match to the proportion of the gravity of offense. Therefore, in the light of the above, the Hon'ble Court underscored the importance of sentencing guidelines in order to prevent arbitrary punishments and ensures unbiased and transparency in the judicial decisions for future judgements. Through this verdict a significant impact has been created. The same can be perused as hereunder:

- 1) **Clarity related to Sentencing Norms:** The notable ruling establishes a clear precedent that if Life Imprisonment is not imposed under the law then the maximum sentence may be upto 10 years and not beyond that.
- 2) **Judicial oversight on awarding a sentence:** Through this verdict, it has been reaffirmed and established that the Higher Courts must practice caution while enhancing sentencing limit in order to ensure the principle of statutory limits.
- 3) **Impact on Arbitrary punishments:** While judges are human beings and to err is human. There is a possibility of them being influenced by case-specific factors while determining the quantum of punishment however this verdict has set a guideline for

⁶ Ibid. at 3

Lower and other Higher Courts to prevent excessive arbitrary punishment which can violate the principle of sentencing policy under the statutory limits.

VI. ANALYSIS OF THE AUTHOR

In the instant matter, the Hon'ble Apex Court's ruling highlights the importance and significance of adhering to the principle of statutory sentencing norm. The Chhattisgarh High Court's decision to enhance the sentence was not intended to violate the statutory sentencing limits prescribed by the law but rather it was an underlying attempt to underscore the repercussion of committing grave crimes in broad day lights. However, from a legal lens, there is no law, principle or precedent that explicitly suggests Courts to exceed the statutory limits as prescribed by the law but in addition there is no law, principle or precedent that stops the courts from exercising discretionary powers of sentencing within the prescribed limits and norms. Sometimes this discretion can be called broader judicial interpretation. In one of the judgements, the Hon'ble Apex Court has clarified that courts cannot exceed the maximum sentencing prescribed by law but have discretion in deciding any concurrent and consecutive sentencing.⁷ Similarly, in an another case the Hon'ble Supreme Court stated that sentencing should follow the legislative intent while judicial discretion may only be exercised within the statutory boundaries.⁸ Time and again the Apex Court have set a standard to follow the statute prescribed by law, let alone other offences but even if it is a heinous crime, punishment must not go beyond the maximum imprisonment given in the law.⁹

The doctrine of proportionality mandates that punishments must correspond to the severity of the crime that has been committed. Same has been overlooked by the judges of Chhattisgarh High Court in the current judgement. Thus, reducing the sentence back to 10 years, the Apex Court has ensured that it is important and crucial to understand separation of powers in a broader sense The role of judiciary has only been to interpret the law and not amend or make the law. It is important for the judiciary to set a precedential impact on other courts and while prescribing punishments judges must prescribe within the legal boundaries while still addressing the gravity and severity of the offence. In the light of the analysis stated above, the Hon'ble Apex Court has once again reaffirmed its role by reviewing and correcting the

⁷ Gopal Vinayak Godse v. State of Maharashtra, AIR 1961 SC 600, (1961) 3 SCR 440 (India).

⁸ State of Punjab v. Prem Sagar, (2008) 7 SCC 550 (India).

⁹ Malkiat Singh v. State of Punjab, AIR 1991 SC 2296, (1991) 3 SCR 47 (India).

sentencing errors committed by the High Courts. This ensures harmony within the three pillars of Democracy and ensures legal consistency along with the adherence to due process.

VII. CONCLUSION

The decision of the Hon'ble Apex Court in Raja Khan case serves a pivotal role in addressing issues of limiting the judiciary within the statutory framework without prejudicing their power of interpretation and decision making. This verdict necessitates the principle of judicial discretion within the prescribed framework established by law. Moreso, the judgement also highlights the doctrine of proportionality in the context of criminal jurisprudence. By reducing the punishment from 12 to 10 years, the Apex Court not only aligned the punishment within the statutory limits but also emphasized that sentencing norms must commensurate with the gravity and nature of the crime. This serves as an important and landmark precedent for future related cases which shall guide the courts to impose sentences that are legal and just, thereby bolstering public confidence in the Administration of Criminal Justice and best practices of promoting consistency and fairness while awarding punishments.

