



CRIMINAL

# Life Beyond Life: How the Supreme Court Granted Freedom to a Man Who Served Over Two Decades

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In a significant pronouncement that reaffirms the constitutional courts inherent power to temper justice with mercy, the Supreme Court of India, in *Munna Moyuddin Shaikh v. State of Gujarat* (2026 INSC 558), modified a sentence of life imprisonment to the period already undergone by the appellant a man who had spent over twenty-three years behind bars for a conviction under Section 302 of the Indian Penal Code, 1860. The judgment, delivered by a Bench comprising Justice K. V. Viswanathan and Justice Vijay Bishnoi on 26th May, 2026, provides a lucid restatement of the law governing modified sentencing by constitutional courts.

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## Background and Procedural History

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The origins of the case trace back to Sessions Case No. 33/1998 before the Additional Sessions Judge, Vadodara, Gujarat. The appellant, Munna Moyuddin Shaikh, was the second of four accused persons put to trial. The Trial Court, upon conclusion of proceedings, convicted the appellant for offences punishable under Section 302 IPC (culpable homicide amounting to murder) as well as Section 135 of the Bombay Police Act, sentencing him to imprisonment for life along with a fine of Rs. 25,000/-. The remaining three accused were acquitted.

The appellant challenged his conviction before the High Court of Gujarat at Ahmedabad. By its judgment and order dated 18th March, 2002, in Criminal Appeal No. 459/2001, the High Court confirmed both the conviction and sentence in their entirety. Aggrieved, the appellant approached the Supreme Court by way of a Special Leave Petition, which was eventually converted into Criminal Appeal No. 2686 of 2026.

## Facts of the Case

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The prosecution's case was substantially found upon the testimonies of three eyewitnesses PW-1 Arifhusain Inarbhai Mirza, PW-2 Ahmed Ali Mohammed Ali Shaikh, and PW-5 Rashid Ali Kadar Ali Makrani each of whom deposed that the appellant inflicted knife blows upon the torso and abdomen of the deceased, resulting in fatal injuries. The Trial Court, after careful scrutiny, found that the contradictions in the eyewitness accounts related solely to the role of the other accused and did not in any manner impair the case against the appellant. The ocular evidence was further fortified by corroborative medical evidence and by the discovery of the knife at the instance of the appellant.

## Issue Before the Court

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Before the Supreme Court, the conviction itself was not seriously assailed. The principal legal question that arose for consideration was whether the constitutional court possessed the power to modify a sentence of life imprisonment to a fixed term corresponding to the period already undergone, and further, whether such modification could be construed as an enhancement of sentence necessitating prior notice to the accused.

## Submissions of the Parties

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On behalf of the appellant, Ms. Jaikriti S. Jadeja, learned counsel, submitted that the appellant had, as of the date of hearing, undergone actual imprisonment of approximately 23 years, 6 months, and 3 days without the benefit of remission. It was urged that the case was eminently fit for the exercise of the court's power to modify the life sentence to the period already served. Reliance was placed upon the decision of this Court in *Shiva Kumar alias Shivamurthy v. State of Karnataka* (2023) 9 SCC 817, wherein it was held that constitutional courts may always impose a modified or fixed-term sentence by directing that a life sentence shall be for a fixed period exceeding fourteen years, even in cases where capital punishment is neither imposed nor

proposed.

Ms. Swati Ghildiyal, learned counsel for the respondent-State, with commendable fairness, placed before the Court the decision in *Birbal Choudhary alias Mukhiya Jee v. State of Bihar* (2018) 12 SCC 440, which clarified that modifying a sentence of life imprisonment to a fixed term constitutes a reduction not an enhancement of sentence, and accordingly no notice under Section 386 read with Section 401 of the Criminal Procedure Code is necessitated in such circumstances.

## Case Laws Relied Upon

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The Court's analysis drew upon a trilogy of authoritative decisions. In *Union of India v. V. Sriharan* (2016) 7 SCC 1, a Constitution Bench held that life imprisonment, as contemplated under Sections 53 and 45 of the IPC, means imprisonment for the remainder of the convict's natural life, subject to the rights of remission under Articles 72 and 161 of the Constitution and Section 432 of the CrPC. Crucially, it was held that the power to impose a modified or fixed-term sentence can be exercised only by the High Court or, on further appeal, by the Supreme Court.

*Shiva Kumar* (supra) expanded the scope of this power by clarifying that the modification of a life sentence to a fixed term is not a remedy confined to cases involving the death penalty. Rather, constitutional courts may exercise this power as a general sentencing tool, provided the fixed term prescribed is not less than fourteen years, in keeping with the mandate of Section 433-A CrPC. *Birbal Choudhary* (supra) settled any remaining ambiguity by confirming that such modification amounts to a reduction of sentence, thereby removing the requirement of notice to the convict prior to such modification.

## Court's Analysis and Final Decision

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The Supreme Court declined to interfere with the concurrent findings of conviction returned by both the Trial Court and the High Court, finding no justification to disturb the well-reasoned conclusions on the question of guilt. However, on the aspect of sentence, the Court held that the modification of a life sentence to a determinate fixed term provided it exceeds fourteen years is legally permissible, sound in principle, and supported by a consistent line of authority.

The Court also took cognisance of the mitigating circumstance that the incident had occurred in 1998, when the appellant was approximately twenty-one years of age, and that he had since served over two decades of actual imprisonment. Having regard to the totality of circumstances, the Bench exercised its power of modified sentencing and directed that the life sentence be reduced to the period already undergone, being 23 years, 6 months, and 3 days. The Court further directed the appellant's immediate release, unless required in connection with any other case.

## Conclusion

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This judgment is a compelling illustration of the Supreme Court's role not merely as a court of law but as a constitutional guardian empowered to ensure that the administration of criminal justice remains humane and proportionate. The decision reinforces the settled legal position that constitutional courts are vested with a wide discretionary power to craft sentences that serve the ends of justice a power that must be exercised with measured sensitivity to the individual circumstances of each case.

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