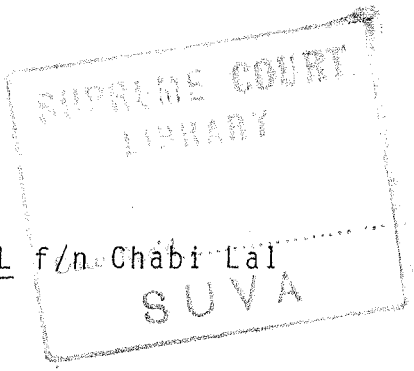


IN THE FIJI COURT OF APPEAL  
Criminal Appeal No. 61 of 1986



Between:

SURUJ LAL f/n Chabi Lal

Appellant

- and -

R E G I N A M

Respondent

Sohan Singh for the Appellant  
Ms. Nazhat Shameem for the Respondent

Date of Hearing : 15th September, 1987

Delivery of Judgment: 15th September, 1987

JUDGMENT OF THE COURT

Speight, V.P. (Orally)

Appellant was tried and convicted in the Supreme Court on three charges of murder and one of attempted murder.

He filed a notice of appeal, obviously drafted by himself.

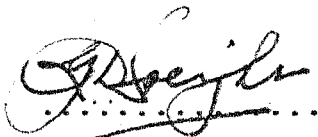
He alleged misdirections by the learned trial Judge in respect of issues which fell for determination in the trial viz. provocation, drunkenness with relation to specific intent, mens rea generally, weight of evidence, and failure to put the defence.

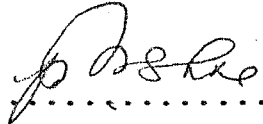
Mr. Sohan Singh accepted a legal aid brief and appeared in this court although another counsel had appeared at trial.


Mr. Singh discussed the grounds of appeal which had been lodged and drew attention to the passages in the summing up where the relevant matters had been discussed. He conceded and very properly, that he could not, after careful study, legitimately claim that the issues had not been correctly dealt with. We have studied the summing up and it appears to us, to be a full fair and proper one in every respect, and Mr. Singh's acceptance is entirely in keeping with the proper discharge of counsel's duty.

The question of sentence was also raised in appellant's notice with a complaint that "21 years was too long". This misconceives the true position. Mandatory sentences of life were imposed on the murder convictions and ten years for attempted murder. The Judge commented that in his view the man should not be released for at least 21 years - a very justifiable comment - but that was not part of the sentence. It was a recommendation which the appropriate Minister will doubtless consider in due course.

Appeals against conviction and against sentence are dismissed.

  
 .....  
 Vice-President

  
 .....  
 Judge of Appeal

  
 .....  
 Judge of Appeal