

IN THE HIGH COURT OF FIJI

AT SUVA

CRIMINAL JURISDICTION

Crim. Case No: HAC 69 of 2024

BETWEEN: STATE

PROSECUTION

A N D: ARVINDRA SINGH

ACCUSED PERSON

Counsel : Mr. V. Koroinivalu for the State  
Ms. M. Singh for Accused

Date of Sentence : 05<sup>th</sup> April 2024

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**SENTENCE**

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1. Mr. Arvindra Singh, you are charged with one count of Act with Intended to Cause Grievous Harm, contrary to Section 255 (a) of the Crimes Act, which carries a maximum punishment of life imprisonment. The particulars of the offences are:

*Statement of Offence*

**ACTS INTENDED TO CAUSE GRIEVOUS HARM:** *Contrary to  
Section 255 (a) of the Crimes Act 2009.*

*Particulars of Offence*


*ARVINDRA SINGH on the 13<sup>th</sup> day of February 2024 at Uci Place, Kalabu Housing in the Central Division, with intent to cause grievous harm to JANICE SINGH poured boiling hot water over her body and assaulted her.*

2. You pleaded guilty to this offence on the 08<sup>th</sup> of March, 2024. I am satisfied that you fully comprehended the legal effect of your plea and that it was voluntary and free from force and influence; I now convict you of the said offence as charged in the Information.
3. The Summary of Facts, which you admitted in the Court, states that you had assaulted the Complainant, who is your de facto partner, on the 13<sup>th</sup> of February 2024. On the afternoon of that day, an argument broke out between you and the Complainant. The Complainant called the Police for assistance as you had been verbally assaulting her. When the Police officer tried to settle the dispute, the Complainant provoked you, saying that you were sleeping with your mother. You then punched her on her mouth and poured the hot boiling water onto the Complainant from the kettle. The Complainant sustained injuries as described in the medical report.
4. The tariff for the Act with Intended to Cause Grievous Harm is six months to 5 years imprisonment.
5. An Act Intended to Cause Grievous Harm is one of the serious forms of offence against a person. Hence, the objective seriousness of this matter is high. According to the Medical Examination Form, the victim had suffered substantial injuries and pain. Therefore, the level of harm in this offence is high. You reacted angrily and violently when the Complainant provoked you. Accordingly, the level of your culpability in this offence is not substantially high.
6. The learned Counsel for the Defence submitted that you are a first offender and pleaded guilty at the earliest opportunity. By pleading guilty, you have shown your remorse and

repentance for committing this crime. Moreover, your son needs you as he is suffering from a terminal illness. You are also looking after your sickly mother. The Complainant finds it difficult to look after the sickly son and mother without your assistance.

7. Considering the above-discussed reasons, I sentence you to two years imprisonment. Furthermore, considering your previous good character, remorse and the family circumstances, this is an appropriate case to suspend the sentence pursuant to Section 26 of the Sentencing and Penalties Act. I accordingly suspend your sentence for three years. If you commit an offence and are found guilty during this period of three years, you are liable to be charged and prosecuted for an offence under Section 28 of the Sentencing and Penalties Act.
8. Since this incident involves Domestic Violence, I am satisfied that there are sufficient grounds to consider making an order under the Domestic Violence Act. I accordingly make a Permanent Domestic Violence Restraining Order against the Accused with standard non-molestation conditions pursuant to Sections 24 and 28 of the Domestic Violence Act. The above Domestic Violence Restraining Order will be in force until this Court or any other competent Court is varied or suspended. Furthermore, if you breach this restraining order, you will be charged and prosecuted for an offence pursuant to Section 77 of the Domestic Violence Act.
9. Thirty (30) days to appeal to the Fiji Court of Appeal.



  
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**Hon. Mr. Justice R. D. R. T. Rajasinghe**

**At Suva**  
05<sup>th</sup> April 2024

**Solicitors**  
Office of the Director of Public Prosecutions for the State,  
Office of the Legal Aid Commission for the Accused.