

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO.690 OF 1998

Prem Singh Appellant(s)

VERSUS

State of Madhya Pradesh
(With office report)

Respondent(s)

W I T H
Criminal Appeal Nos.691-693/1998
(With office report)Criminal Appeal No.694 of 1998
(With office report)

Date : 18/03/2004 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE ARIJIT PASAYATFor Appellant (s)Mr. Debasis Misra,Adv.
In CRLA 690/98In CRLAs.691-693 Dr. I.B. Gaur,Adv.
and 694/98For Respondent (s)Mr. R.P. Gupta, Sr.Adv.
Ms. Kamakshi S. Mehlwal,Adv.UPON hearing counsel the Court made the following
O R D E RThe appeals are disposed of in terms of the signed order.
(Neena Verma) (Vijay Aggarwal)
Court Master Court Master
Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.690 OF 1998

Prem Singh
...Appellant

Versus

State of Madhya Pradesh
...Respondent
With
Criminal Appeal Nos.691-693/1998 & 694/1998

O R D E R

In these appeals, the appellants have questioned their conviction for offences punishable under Sections 147, 330 and 348 read with Section 149, IPC. Sentences of four months, five years and one year respectively were awarded, in addition to fine of Rs.100 and Rs.500/- respectively for the last two offences. Learned counsel for the appellant strenuously urged that the evidence of P.Ws. 1 and 9 does not inspire confidence and courts below should not have placed confidence thereon. The stand of the learned counsel for the State is that in view of the concurrent findings recorded by the courts below, which are in no way deficient, there is no scope for interference with the conviction, as made. We do not find any infirmity in the analysis of evidence made by courts below. However, considering the nature of the offences, we reduce the sentence to three years imprisonment instead of five years, as awarded by the courts below in respect of the offence relating to Section 330 IPC. The appeals are dismissed so far as conviction is concerned, but, are partly allowed so far as the sentence relating to Section 330 is concerned.

The appeals are disposed of accordingly.

.....J.

(DORAISWAMY RAJU)

.....J.

(ARIJIT PASAYAT)

New Delhi,
March 18, 2004.