

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.302 OF 2013
(ARISING OUT OF SLP(CRL) NO.1388 OF 2013
ARISING OUT OF CRL.M.P. NO.2626 OF 2013)

SHANTABASAVASHIVACHARYA

Appellant(s)

VERSUS

STATE OF KARNATAKA

Respondent(s)

O R D E R

Heard learned counsel for the parties.
Delay condoned.
Leave granted.

The High Court has passed the order of payment of fine of Rupees One Lac and, in default, to undergo Simple Imprisonment for a period of four years, apart from sentence of six years rigorous imprisonment. The accused did not pay the fine and has undergone a period of two years and two months in default of payment thereof.

Considering the facts and circumstances of the case, we are inclined to modify the sentence awarded in default of payment of fine and reduce it to the period already undergone, since the accused has served imprisonment for two years and two months in lieu of non-payment of fine, which, according to us, is sufficient to meet the ends of justice. Ordered accordingly. The accused-appellant shall be released forthwith, if not required in any other case.

The appeal is, accordingly, disposed of.

.....J.
[K.S. RADHAKRISHNAN]

.....J.
[DIPAK MISRA]

NEW DELHI;
FEBRUARY 13, 2013

ITEM NO.5

COURT NO.10

SECTION IIB

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

Petition(s) for Special Leave to Appeal (Crl)... 2013
CRLMP.NO(s). 2626/2013

(From the judgement and order dated 25/01/2008 in CRLA No.1531/2005
of The HIGH COURT OF KARNATAKA AT BANGALORE)

SHANTABASAVASHIVACHARYA

Petitioner(s)

VERSUS

STATE OF KARNATAKA

Respondent(s)

(With appln(s) for c/delay in filing SLP and bail)

Date: 13/02/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Mr. Shekhar G. Devasa, Adv.
Mr. K. Parmeshwar, Adv.
Mrs. Sudha Gupta, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Heard learned counsel for the parties.
Delay condoned.
Leave granted.
The appeal is disposed of in terms of the signed order.

| (NARENDRA PRASAD)
| COURT MASTER

| | (RENUKA SADANA)
| | COURT MASTER

(Signed order is placed on the file)

P.S. - Copy of the order be given dasti.