

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).1175/2008

(From the judgement and order dated 23/07/2007 in CRLA No. 142/1998 of
The HIGH COURT OF M.P AT GWALIOR)

PREM SINGH & ANR.

Petitioner(s)

VERSUS

STATE OF M.P.

Respondent(s)

(With appln(s) for exemption from filing O.T.,AD-INTERIM EX-PARTE BAIL
and office report)
(For final disposal)

Date: 17/02/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s)

Mr. S.K. Dubey, Sr.Adv.
Mr. Yogesh Tiwari, Adv.
Mr. Dharam Singh, Adv.

Mr. Rajesh,Adv.

For Respondent(s)

Mr. C.D. Singh,Adv.
Mr. Sunny Chowdhary, Adv.
Mr. Vairagya Vardhan Dubey, Adv.
Mr. Aditya Singh, Adv.
Ms. Upasana Nath, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appeal is partly allowed in terms of the signed order.

(Sukhbir Paul Kaur)
Court Master

(Vinod Kulvi)
Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.327 OF 2009
(Arising out of SLP(Crl.)No.1175 pf 2008)

PREM SINGH & ANR.

APPELLANT(S)

Versus

STATE OF M.P.

RESPONDENT(S)

ORDER

Heard learned counsel for the parties.

Leave granted.

Having gone through the judgment of the High Court and independent scrutiny of the evidence led by the prosecution, we are of the view that the conviction of the appellants under Sections 324, 323 and 342 of the Indian Penal Code cannot be found faulty or perverse. We accordingly, maintain the conviction of the appellants. However, we modify the judgment of the High Court to the extent that the sentence imposed upon the appellants by the High Court is reduced to the period already undergone by each one of them. In the facts and circumstances of

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the case, we are of the view that the appellants shall pay a sum of Rs.2,500/- each as compensation to the injured - complainant. The amount of compensation shall be deposited by the appellants before the Trial Court within eight weeks from today, failing which the substantive sentence of imprisonment imposed by the High Court shall stand revived without further orders of this Court. The learned Trial Court shall remit the amount to the injured - complainant immediately on receipt thereof.

The appeal is partly allowed to the extent indicated above.

.....J.
(LOKESHWAR SINGH PANTA)

.....J.
(B.SUDERSHAN REDDY)

New Delhi,
February 17,2009