

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.....OF 2026
(@SLP (CrI.) No.3472 of 2026)**

YADAV SINGH

APPELLANT(S)

VERSUS

STATE OF HIMACHAL PRADESH

RESPONDENT(S)

O R D E R

1. Leave granted.

2. This appeal arises from the judgment and order passed by the High Court dated 18.12.2025 in Criminal Revision Application No. 237 of 2015, by which the revision petition filed by the appellant before us came to be partly allowed.

3. It appears from the materials on record that the appellant (convict) is a government servant. He is serving as a driver with the Himachal Pradesh Road Transport Corporation. He was put to trial in the Court of the Chief Judicial Magistrate, Lahul Spiti, Kullu, District Kullu for the offence punishable under Sections

279 and 304-A of the Indian Penal Code, 1860, respectively (for short "the IPC") and Section 187 of the Motor Vehicles Act, 1988 (for short, "the MV Act").

4. On 4.5.2004. the appellant was driving a Jeep bearing Registration No. HP-33A-0795.

5. At about 10.15 A.M., while taking the jeep in reverse, the appellant is alleged to have crushed a five year old boy by name Amit Kumar. Amit Kumar (deceased) at the relevant point of time was with his parents. The parents and the deceased were returning back to their home after visiting a temple.

6. An FIR came to be registered, and the appellant was accordingly prosecuted. The Trial Court held the appellant guilty of the alleged offence and sentenced him to undergo one year of simple imprisonment with fine of Rs.500/- (Rupees Five hundred only).

7. The appellant being dissatisfied with the judgment and order of conviction passed by the Trial Court went in appeal before the Additional Sessions Judge, Kullu, District Kullu. The appeal also came to be dismissed. In such circumstances, he went before the High Court by way

of a Criminal Revision Application under Section 397 read with 401 of the Criminal Procedure Code, 1973, respectively (for short, "the Cr.PC."). The revision application came to be partly allowed. The High Court thought fit to set aside the conviction insofar as the offence punishable under Section 187 of the MV Act, is concerned, however, insofar as Section 304A and Section 279, respectively of the IPC is concerned, the conviction was affirmed.

8. In such circumstances, the appellant is before us with the present petition.

9. We heard Mr. Gaurav Kumar, the learned counsel appearing for the appellant and Mr. Baldev Singh, the learned counsel appearing for the State.

10. The incident is of the year 2004. Almost 22 years have passed by. The appellant is a government servant as noted above. He is in service past more than 14 years. He is still left with 14 years of service before he attaining superannuation. In the facts and circumstances of this case, we are of the view that ends of justice would be met, if we ask the appellant (convict) to pay a

reasonable amount by way of compensation to the parents who lost their son in a very freak accident. We fix the amount of Rs.5,00,000/-(Rs.Five lakh only) to be paid towards compensation. The father of the deceased is very much present in the Court room today. The appellant has brought a demand draft of the amount of Rs.5,00,000/- (Rs.Five lakh only) drawn in favour of the father of the deceased. The demand draft is being handed over to the father of the deceased.

11. In view of the aforesaid, while maintaining the order of conviction passed by the Trial Court as affirmed upto the High Court, we reduce the sentence to the period already undergone.

12. We are conscious of the fact that as we are maintaining the conviction, it may have some effect on the service of the appellant. However, we are of the view that the offence said to have been committed by the appellant does not involve any moral turpitude.

13. In such circumstances, the order of conviction should not come in his way insofar as his service with the Corporation is concerned.

14. With the aforesaid, this appeal stands disposed of.

15. Pending application(s), if any, stands disposed of.

.....J.
[J.B. PARDIWALA]

.....J.
[UJJAL BHUYAN]

New Delhi
28th April, 2026.

cd

ITEM NO.39

COURT NO.7

SECTION II-C

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

Petition for Special Leave to Appeal (Crl.) No.3472/2026

[Arising out of impugned final judgment and order dated 18-12-2025 in CRR No. 237/2015 passed by the High Court of Himachal Pradesh at Shimla]

YADAV SINGH

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH

Respondent(s)

Date : 28-04-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) : Mr. Gaurav Kumar, Adv.
Mr. Vinod Sharma, AOR

For Respondent(s) : Mr. Baldev Singh, Adv.
Mr. Divyansh Thakur, Adv.
Mr. Bimlesh Kumar Singh, AOR

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

1. The appeal is disposed of in terms of the signed order.
2. Pending application(s), if any, stands disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed order is placed on the file)

