

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(s). 1253 OF 2006

CHHAGANLAL & ANR.

Appellant (s)

VERSUS

STATE OF M.P.

Respondent(s)

(With office report)

Date: 27/07/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Appellant(s)

Mr. T.N. Singh,Adv.
Mr. V.K. Singh, Adv.

For Respondent(s)

Dr. N.M. Ghatate, Sr.Adv.
Mr. C.D. Singh,Adv.

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

Having regard to the facts and circumstances of the case, we consider it appropriate to maintain the conviction of the first appellant-Chhagan Lal but reduce the period of sentence to that he has already undergone. We order accordingly.

So far as the second appellant-Girdhari is concerned, no further relief is required to be granted to him.

The first appellant-Chhagan Lal is on bail. His bail bonds are discharged.

This appeal is accordingly, disposed of in terms of the signed order.

(Sukhbir Paul Kaur) (J.P. Sharma)
Court Master Court Master
(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1253 OF 2006

CHHAGANLAL & ANR.

Appellant(s)

Versus

STATE OF M.P.

Respondent(s)

O R D E R

We have heard learned counsel for the appellants as well as learned senior counsel appearing on behalf of the respondent-State.

This appeal by special leave is directed against the judgment and order dated 6.10.2005 passed by the High Court of Madhya Pradesh, Bench at Indore in Criminal appeal No.1025 of 1997 whereby the High Court has dismissed the appeal by confirming the conviction and sentence passed by the Special Sessions Judge, Mandleshwar.

The first appellant-Chhaganlal was convicted by the learned Special Sessions Judge, Mandleshwar under Section 3(1)(x) of the Scheduled Caste and Scheduled Tribe Prevention of Atrocities Act, 1989 and sentenced to undergo rigorous imprisonment for six months and fine of Rs.500/- and also under Sections 323 and 342 of the Indian Penal Code to pay fine of Rs.1,000/- each along with the default clause.

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So far as the second appellant-Girdhari is concerned, he was convicted under Sections 324 and 342 read with Section 34 of the Indian Penal Code and fined Rs.1,000/- each along with the default clause.

It is brought to our notice that so far as second appellant Girdhari is concerned, he had already paid the fine amount.

So far as first appellant-Chhagan Lal is concerned, he had already undergone and suffered imprisonment for a period of four months and the maximum sentence awarded to him is six months.

Having regard to the facts and circumstances of the case, we consider it appropriate to maintain the conviction of the first appellant-Chhagan Lal but reduce the period of sentence to that he has already

undergone. We order accordingly.

So far as the second appellant-Girdhari is concerned, no further relief is required to be granted to him.

The first appellant-Chhagan Lal is on bail. His bail bonds are discharged.

This appeal is accordingly, disposed of.

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

.....J.
(SURINDER SINGH NIJJAR)

New Delhi,
July 27, 2010