

ITEM NO.203

COURT NO.14

SECTION IIA

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) No(s).3420/2013

(From the judgement and order dated 03/01/2013 in CRLRC No.1259/2007, of
The HIGH COURT OF MADRAS)

Y. KARIM

Petitioner(s)

VERSUS

STATE BY INSPECTOR OF POLICE

Respondent(s)

(With office report)(for final disposal)

Date: 17/02/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s) Mr. Nishe Rajen Shonker,Adv.

For Respondent(s) Mr. M. Yogesh Kanna,Adv.

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

The trial Court, while rendering its judgment dated 4.12.2006, inflicted the following sentences upon the petitioner:

"Therefore this Court is holding that the accused is guilty of offence under Section 304(A) (3 counts) of Indian Penal Code and he is sentenced to undergo for 1 year rigorous imprisonment for each count and imposed a sum of Rs.3000/- as fine and failing which the accused shall undergo for 6 month further rigorous imprisonment. The sentence shall run consecutively under section 31(2) of Cr.P.C."

The aforesaid sentences came to be upheld, even by the High Court, vide impugned order dated 3.1.2013.

This Court, while considering the claim of the petitioner, by its motion Bench order dated 22.4.2013, issued notice, confined to the question of sentence awarded by the trial Court.

We have heard learned counsel for the rival parties. We are satisfied that the order of the trial Court directing that the sentences on the three counts under Section 304A of the Indian Penal Code should run consecutively, be modified so as to run concurrently. While granting the instant concession to the petitioner, we are also satisfied that the fine of Rs.3000/- imposed on the petitioner should be enhanced to Rs.10,000/-, and in case of non-payment thereof, the accused shall undergo further rigorous imprisonment for one year. Ordered accordingly.

The special leave petition stands disposed of in the above terms.

| (Parveen Kr.Chawla)
| Court Master
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| | (Phoolan Wati Arora)
| | Assistant Registrar
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