

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. 2168/2000

(From the judgement and order dated 07/12/1999 in CRLA 387/89
of The HIGH COURT OF M.P AT JABALPUR)

ASHOK Petitioner (s)

VERSUS

STATE OF MADHYA PRADESH Respondent (s)

(With Appln(s). for bail)
(With Office Report)

Date : 17/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. C.L. Sahu,Adv.

For Respondent (s) Mr. Sakesh Kumar,adv.
Mr. Uma Nath Singh,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.J
.SP2

Leave granted.
Appeal is disposed of.

.SP1 (Suman Wadhwa) (H.K.Bhatia)
PA to Addl.Regr. Court Master

Signed order is placed on the file.

.PA
.PL55

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 990 OF 2000@@
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(Arising out of SLP(Crl.)No. 2168/2000)

Ashok

...Appellant

Vs.

State of Madhya Pradesh

...Respondent

ORDER@@
CCCCC

.....L.....I.....T.....T.....T.....T.....T.....T.....T.J
.SP2

Leave granted.

As we issued a notice limited to the nature of the offence we considered the medical evidence. It shows that there was no completed rape. It could only be considered as an attempt to commit rape. We, therefore, alter the conviction from Sec.376 of Indian Penal Code to the said offence read with Sec.511 of the Indian Penal Code.

As we have altered the conviction from the commission of offence to attempt to commit the offence we are also inclined to reduce the sentence to rigorous imprisonment for a period of 3 years. With that modification in the conviction and sentence we dispose of this appeal.

.SP1

.....J.
(K.T. Thomas)

New Delhi;
November 17, 2000.

.....J.
(R.P.Sethi)