

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. 3918-3919/2003

(From the judgement and order dated 04/03/2003 in CRLRC 528-529/2000
of The HIGH COURT OF A.P AT HYDERABAD)

SUDHIR SABHARWAL

Petitioner (s)

VERSUS

ANIL PRABHAKAR NILGIRWAR & ANR.

Respondent (s)

(With Appln(s). for stay and urging addl. grounds)

Date : 03/02/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s)Mr. A.V. Rangam,Adv.
Mr. Buddy A. Ranganadhan, Adv.
Mr. Sanjeev Saraswat, Adv.

For Respondent (s)Mr. K.R. Nagaraja,Adv.
Ms. Savita Agarwal, Adv.
Ms. E.R. Sumaty, Adv.
Mr. A.P. Jain, Adv.
Mr. K. Vijayan, Adv.

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

The High Court, while disposing of Criminal Revision Nos.528-529 of 2000, held that it was a fit case for exercise of power under sub-Section (3) of Section 357 of the Code of Criminal Procedure for reducing the sentence of imprisonment and directing payment of compensation of Rupees one lakh to the complainant-respondent No.1 in each case, within two months, in terms of the impugned order. The impugned order thus directed reduction of sentence from one year to six months and payment of compensation as aforesaid.

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It seems that the High Court lost sight of the fact that the period of imprisonment has already been reduced to six months by the first appellate court. The compensation amount, as awarded by the High Court, has been paid today by the petitioner to the complainant-respondent No.1. Learned counsel for complainant-respondent No.1 states that his client has no objection if the sentence of imprisonment is reduced to the period already undergone. Having regard to the facts and circumstance of the case, we are of the opinion that ends of justice would be met if the period of imprisonment is reduced and, accordingly, we modify the impugned judgment and order of the High Court and reduce the sentence of imprisonment to the period already undergone. The special leave petitions are, accordingly, disposed of.

(N. Annapurna)
Court Master

(V.P. Tyagi)
Court Master