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IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 2304 OF 2011  
(ARISING OUT OF SLP (CRL.) NO. 3968 OF 2011)

OM PRAKASH

.....APPELLANT(S)

VERSUS

STATE (NCT OF DELHI)

.....RESPONDENT(S)

O R D E R

Leave granted.

The appellant stands convicted under Sections 323 and 326 of the Penal Code. For the offence of causing grievous hurt, he is sentenced to three years rigorous imprisonment in addition to a fine of `10,000, with the default sentence of one month simple imprisonment.

Learned counsel appearing for the appellant very sensibly confined his submissions to the question of sentence and we feel that there are good reasons to modify and reduce the sentence of imprisonment awarded to the appellant.

The offence was committed in the year 1997, that is to say, more than fourteen years ago. All these years, the appellant has passed through the rigours of the prosecution. The incident started with a quarrel that led to a fight in which the appellant is alleged to have given knife blows to two members from the prosecution side. Their

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injuries are mentioned in paragraph 6 of the High Court judgment and those do not appear to be very serious in nature. The period of actual imprisonment suffered by the appellant is over a year and seven months.

Having regard to the overall facts and circumstances of the case, we are of the view that the ends of justice would meet if the appellant's sentence of imprisonment is reduced to the period already undergone by

him.

We, accordingly, do so.

We, however, enhance the fine amount from ₹10,000

to ₹20,000. The appellant would, thus, be let off from jail on depositing the enhanced amount of fine with the trial court.

The criminal appeal is disposed of with the aforementioned modification and reduction in the appellant's sentence.

.....J  
(AFTAB ALAM)

.....J  
(RANJANA PRAKASH DESAI)

NEW DELHI,  
DECEMBER 12, 2011.  
ITEM NO.29

COURT NO.7

SECTION II

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 (Cr1) No(s).3968/2011

(From the judgement and order dated 28/01/2011 in CRLA No.251/2001 of the HIGH COURT OF DELHI AT NEW DELHI)

OM PRAKASH

Petitioner(s)

VERSUS

STATE (NCT OF DELHI)

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned judgment, exemption from filing O.T. and suspension of sentence)

Date: 12/12/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM  
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s)

Mr. Jasbir Singh Malik, Adv.  
Mr. D.K. Sharma, Adv.  
Mr. S.K. Sabharwal, Adv. (NP)

For Respondent(s)

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

Leave granted.  
The criminal appeal is disposed of in terms of the  
signed order.

(N.S.K. Kamesh)  
Court Master

(Sneh Bala Mehra)  
Court Master

(signed order is placed on the file)