

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. 3039/2000

(From the judgement and order dated 06/04/2000 in CRLA 526/89  
of The HIGH COURT OF M.P AT JABALPUR)

RAMCHARAN

Petitioner (s)

VERSUS

STATE OF MADHYA PRADESH

Respondent (s)

( With Appln(s). for exemption from filing O.T.&bail )  
( With Office Report )

Date : 5/1/2001 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. Rajesh,Adv.  
Mr. K.K.Mishra,adv.  
Mr. S.S.Nehre,adv.

For Respondent (s)

Mr. Prashant 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)  
PA to Addl.Regr.

(H.K.Bhatia)  
Court Master

Signed order is placed on the file.

.PA  
.PL55

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 19 OF 2001@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC  
(Arising out of SLP(Crl.)No. 3039/2000)

Ramcharan

... Appellant

vs.

State of Madhya Pradesh

... Respondent

ORDER@@  
CCCCC

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

Leave granted.

The evidence of Doctor Smt. G.Saxena (PW.3) shows that the rape attempted on the victim did not succeed in full measure. Hence the conviction must be altered to one under Sec. 376 read with Sec.511 of the Indian Penal Code. We do so. As a corollary, we reduce the sentence to half the period fixed by the High Court i.e. rigorous imprisonment for three years and six months. With the said alteration on the count of conviction and the reduction of the sentence this appeal is disposed of.

.SP1

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

New Delhi;  
January 5, 2000.

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