

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).6484/2011  
(From the judgment and order dated 25/03/2011 in CRLA No.345/2005 of the  
HIGH COURT OF H.P AT SHIMLA)

MINU RAM Petitioner(s)

VERSUS

STATE OF H.P. Respondent(s)

(With office report)

Date: 17/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR  
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. M.P. Jha, Adv.  
Mr. Ram Ekbal Roy, Adv.  
Mr. Harshvardhan Jha, Adv.  
Mr. Dileep Pillai, Adv.

For Respondent(s) Mr. Suryanaryana Singh, AAG  
Ms. Pragati Neekhra, Adv.

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

The appeal is partly allowed. The conviction of the  
appellant is maintained. However, the sentence is reduced to  
the period already undergone by the appellant. Bail bond, if  
any, shall stand discharged.

| (VINOD LAKHINA) | | (INDU BALA KAPUR) |  
| COURT MASTER | | COURT MASTER |

(SIGNED ORDER IS PLACED ON THE FILE)  
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1789 OF 2013  
[Arising out of Special Leave Petition (Criminal) No.6484 of  
2011]

MINU RAM ...APPELLANT

VERSUS

STATE OF H.P. ...RESPONDENT

ORDER

Leave granted.

We have heard learned counsel for the parties at length.

We are not inclined to interfere with the order passed by the High Court so far as the conviction of the appellant is concerned. However, in the facts and circumstances of the case, we are inclined to accept the submission made by the learned counsel for the appellant that in view of the fact that the appellant is a simple and rustic villager, it was not necessary to impose the punishment of three years under Section 120-B IPC and to pay a fine of Rs.15,000/- and punishment of three years under Section 420 IPC and to pay a fine of Rs.15,000/- in the peculiar facts and circumstances of the case. We are inclined to modify the sentence to the period of imprisonment already undergone by the appellant which is stated to be about six months.

...2/-

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We are also informed by the learned counsel for the appellant that fine of Rs.30,000/- has already been deposited by the appellant. We are also also informed that the appellant remained on bail during the trial and subsequently after conviction he was again released on bail. During all this period, nothing has been placed on record to indicate that the appellant has indulged in any criminal activity, or misused the concession of bail.

Keeping in view the aforesaid, the appeal is partly allowed. The conviction of the appellant is maintained. However, the sentence is reduced to the period already undergone by the appellant. Bail bond, if any, shall stand discharged.

The appeal is disposed of in the above terms.

.....,J.  
(SURINDER SINGH NIJJAR)

.....,J.  
(A.K. SIKRI)

NEW DELHI  
OCTOBER 17, 2013