

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 906 OF 2014
(Arising out of S.L.P.(CrI.) No. 5600 of 2013)

STATE OF M.P.

... APPELLANT(S)

VERSUS

MOHAN SINGH & ORS.

...RESPONDENT(S)

O R D E R

State of Madhya Pradesh aggrieved by the inadequacy of sentence has preferred this special leave petition.

Leave granted.

While upholding the respondents conviction under Section 324, 324/34, 326 and 326/34 of the Indian Penal Code ("IPC" for short), the High Court reduced the sentence to the period already undergone by them.

The total period undergone by the respondents is just sixty days.

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Learned counsel appearing on behalf of the appellant-State submits that the injured had sustained a large number of injuries and in view of the nature of allegation, the sentence awarded is absolutely inadequate.

On the other hand, learned counsel representing the respondents, however, submits that the occurrence had taken place as back as on 16.11.1997 and at such a distance of time it

shall not be appropriate to send them to jail again. He submits that instead the respondents be inflicted adequate fine.

Having appreciated the rival submissions, we are of the considered opinion that the ends of justice shall be met by imposing fine on the respondents. Accordingly, we award a fine of Rs. 25,000/- each against the respondents for commissions of the offence under Section 326 and 326/34 of the IPC. The amount of fine shall be deposited within three months from today.

In case the aforesaid amount of fine is
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deposited, a sum of Rs. 50,000/- shall be paid to the injured.

In case the respondents fail to deposit the amount within the period stipulated, they will suffer imprisonment for six months.

With the above directions, the appeal stands disposed of accordingly.

.....J.
(CHANDRAMAULI KR. PRASAD)

.....J.
(PINAKI CHANDRA GHOSE)

New Delhi;
April 21, 2014

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ITEM NO.55

COURT NO.9

SECTION IIA

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(s).5600/2013

(From the judgement and order dated 06/11/2012 in CRL. REVISION
No.805/2005 of The HIGH COURT OF M.P AT GWALIOR)

STATE OF M.P.

Petitioner(s)

VERSUS

MOHAN SINGH & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and office report)

Date: 21/04/2014

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s)

Mr. Anshuman Shrivastava, Adv.
Mr. C.D. Singh, Adv.

For Respondent(s)

Mr. R.D. Upadhyay, Adv.
Mr. Braham Singh, Adv.
Mr. Vijay Kumar Pandita, Adv.
Mr. Bhanwar Pal Singh Jadon, Adv.
Ms. Asha Upadhyay, Adv.

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

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

(S.K. Rakheja)
Court Master
(Signed order is placed on the file)

(Indu Satija)
Assistant Registrar