

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 416-417 OF 2000

KANTALA SATYANARAYANA AND ANR.

Appellant (s)

VERSUS

STATE OF A.P. AND ANR.

Respondent(s)

(With office report)

Date: 22/02/2006 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE A.K. MATHUR

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Appellant(s)

Mr. Mahabir Singh, Sr. Adv.

Mr. Rakesh Dahiya, Adv.

Mr. D. Mahesh Babu, Adv.

For Respondent(s)

Mr. P Vinay Kumar, Adv.

Mrs.D. Bharathi Reddy, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

The appeals are allowed in part and while maintaining the conviction,

sentence of imprisonment awarded against the appellants is reduced to the period already undergone. The appellants are discharged from the liability of bail bonds.

[ Charanjeet Kaur ]

Court Master

[ Om Prakash ]

Court Master

[ Signed order is placed on the file ]

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 416-417 OF 2000

Kantala Satyanarayana And Anr. .. Appellant(s)

Versus

State of A.P. And Anr. .. Respondent(s)

O R D E R

Heard learned counsel for the parties.

The appellants were convicted by the trial Court under Section 404 of the Indian Penal Code (For short, 'IPC") and each one of them was sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs. 300/- each, in default, to undergo simple imprisonment for a period of three months. On appeals being preferred, the High Court set aside the conviction under Section 404, IPC and convicted the accused persons in both the trials under Section 411, IPC and sentenced them to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs. 300/- each, in default, to undergo further simple imprisonment for a period of three months. Hence, these appeals by the appellants.

Mr. Mahabir Singh, learned senior counsel appearing for the appellants first tried to persuade us that present case is

a case of acquittal as the High Court was not justified in convicting the appellants under section 411, IPC. Having heard the parties and perused the records, we are of the view that the High Court has not committed any error in convicting the appellants under Section 411, IPC in these two cases. It appears that in the present cases, the appellants have remained in custody for a period of about fourteen months, as such in our view, ends of justice would be met in case the sentence of imprisonment awarded against the appellants in these two cases is reduced to the period already undergone.

The appeals are, therefore, allowed in part and while maintaining the conviction, sentence of imprisonment awarded against them is reduced to the period already undergone. The appellants are discharged from the liability of bail bonds.

.....J

[ B.N. AGRAWAL ]

.....J

[ A.K. MATHUR ]

.....J

[ DALVEER BHANDARI ]

NEW DELHI,  
FEBRUARY 22, 2006.

