

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.311 OF 2000

STATE OF RAJASTHAN
APPELLANT(S)

...

Versus

HUKMA RAM
RESPONDENT (S)

...

J U D G M E N T

B.P.SINGH, J.

We have heard counsel for the parties.

It is no doubt, true that the Trial Court and the Appellate Court convicted the

respondent of offences punishable under Sections 279, 337, 304A of the Indian Penal Code

and sentenced him to undergo two years rigorous imprisonment and a fine of

Rs.1,000/- but the High Court in revision has recorded an order of acquittal. We have

perused the order of the High Court and we find that there is justification for the order

passed by the High Court. The accident took place not because the vehicle was being

driven rashly and negligently at a fast speed and dashed against any other vehicle or
ran
over any pedestrian, but because the front axle of the vehicle broke down and therefore
the
bus overturned. The road was steep and there was a sudden depression 1-1/2 feet deep i
n
the road with the result that the axle of the vehicle broke and the vehicle overturned.
The

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speed at which the vehicle was moving was also not much.

Having regard to these facts we are satisfied that this is not a case i
n which this

Court should interfere with the order of acquittal in the exercise
of discretion under

Article 136 of the Constitution.

This appeal is accordingly, dismissed.

.....J.

(B.P.SINGH)

.....J.

(TARUN CHATTERJEE)

New Delhi,

October 11, 2006

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ITEM NO.101

COURT NO.4

SECTION II

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). 311 OF 2000

STATE OF RAJASTHAN

Appellant (s)

VERSUS

HUKMA RAM

Respondent(s)

(With office report)

Date: 11/10/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Appellant(s)

Mr. Naveen Kumar Singh, Adv.

Mr. Aruneshwar Gupta, Adv.

Mr. Mukul Sood, Adv.

Mr. Shashwat Gupta, Adv.

Ms. Shikha, Adv.

For Respondent(s)

Mr. Doongar Singh, Adv.

Mr. V.J. Francis, Adv.

Mr. A.Radhakrishnan, Adv.

UPON hearing counsel the Court made the following

O R D E R

The appeal is dismissed in terms of the signed judgment.

(Sukhbir Paul Kaur)

(Vijay Dhawan)

Court Master

Court Master

(Signed Judgment is placed on the file)