

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. 1321/1998

State of H.P. Appellant (s)

vs.

Budhi Singh and Ors. Respondent (s)

Date:15/4/2004 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N.AGRAWAL

HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Appellant (s)

Mr. J.S. Attri,Adv.

For Respondent (s) Mr. Ajit Singh Bawa,Adv.

Mr. S. Thananjayan,Adv.

UPON hearing counsel the Court made the following

O R D E R

The appeal is dismissed in terms of the signed order.

(Sarojbala)(Kanwal Singh)

PA to Addl.Registrar

Court Master

(The signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1321 OF 1998

State of H.P.

Appellant(s)

Vs.

Budhi Singh and Ors.

Respondent(s)

O R D E R

Heard the parties.

The respondents were convicted by the Trial Court under Section 304 Part II read with Section 149 IPC and sentenced to undergo rigorous imprisonment for a period of four years and to pay a fine of Rs. 5,000/- each, in default to undergo further rigorous imprisonment for a period of one year. They were further convicted under Section 147 IPC and sentenced to undergo rigorous imprisonment for a period of one year. However, both the sentences were ordered to run concurrently. On an appeal being preferred by the accused persons, the High Court of Himachal Pradesh recorded the order of acquittal. Hence, this appeal by special leave.

Having heard the parties and perused the record, we are of the view that no case for interference is made out as the order of acquittal cannot be said to be perverse in any manner. The appeal is accordingly dismissed.

.....J.
(B.N.AGRAWAL)

.....J.
(Dr. AR. LAKSHMANAN)

NEW DELHI
APRIL 15, 2004.