

: ITEM NO.103

COURT NO.6

SECTION IIA

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). 1275 OF 2005

SUGHAR SINGH & ANR.

Appellant (s)

VERSUS

STATE OF M.P.

Respondent(s)

(With appln(s) for exemption from surrendering and exemption from filing O.T. and permission to file addl. documents and exemption from filing O.T. and exemption from filing O.T. and with office report)

Date: 21/07/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appellant(s) Mr. Rakesh Dwivedi, Sr. Adv.  
Mr. R. Santhan Krishnan, Adv.  
Mr. Praveen K. Pandey, Adv.  
Mr. D. Mahesh Babu, Adv.

For Respondent(s) Ms. Vibha Datta Makhija, Adv.

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

The Appeal is disposed of accordingly.

By Order dated 20.10.2005 this Court had granted bail to both the appellants. Bail bonds of appellant No. 1 are hereby cancelled and he is directed to be taken into custody forthwith to serve the remaining period of sentence. Bail bonds of appellant No. 2 are discharged accordingly.

( Rajesh Dham )  
Court Master

( Indu Satija )  
Court Master

(Signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 1275 OF 2005

SUGHAR SINGH & ANR.

Appellant (s)

VERSUS

STATE OF M.P.

Respondent(s)

O R D E R

Heard learned counsel for the parties.

This Appeal has been filed against the impugned

judgment dated 30.06.2005 of the High Court of Madhya Pradesh, Bench Gwalior, passed in Criminal Appeal No. 156 of 1995.

The facts have been stated in the impugned judgment and hence we are not repeating the same here.

We have carefully considered the evidence on record and we are of the opinion that the impugned judgment of the High Court so far as appellant No. 1-Sughar Singh is concerned is correct, but appellant No. 2-Virendra Singh Pawaiya is entitled to the benefit of doubt.

Accordingly, we uphold the impugned judgment of the High Court so far as appellant No. 1 herein is concerned, but we acquit appellant No. 2 herein by giving him benefit of doubt.

:1:

CRIMINAL APPEAL NO(s). 1275 OF 2005

The Appeal is disposed of accordingly.

By Order dated 20.10.2005 this Court had granted bail to both the appellants. Bail bonds of appellant No. 1 are hereby cancelled and he is directed to be taken into custody forthwith to serve the remaining period of sentence. Bail bonds of appellant No. 2 are discharged accordingly.

.....J.  
(MARKANDEY KATJU)

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

NEW DELHI;  
JULY 21, 2011