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ITEM NO.10

COURT NO.3

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).10175/2013

(From the judgement and order dated 04/03/2013 in CRLA No.1430/1999, of  
The HIGH COURT OF M.P AT JABALPUR)

DURG SINGH & ANR.

Petitioner(s)

VERSUS

STATE OF M.P

Respondent(s)

(With appln(s) for bail, exemption from filing O.T., impleadment and  
compounding the offence)

Date: 10/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s)

Mr. Hari Shankar K,Adv.

Mr. Aditya Verma,Adv.

Mrs. S. Lakshmi,Adv.

Mr. Anshuman Upadhyay,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

We are of the considered opinion that the High Court has  
committed an error that inspite of taking note of the injuries and  
converting the offence of the petitioner from 307 IPC to 326 IPC. The  
impugned judgment has shocked the conscience of the Court, therefore,  
we issue notice to the petitioner why we ourselves in exercise of our  
power under Section 386 of the Criminal Procedure Code should not  
convert the conviction under Section 307 IPC and restore the sentence  
awarded by the trial Court.

The petitioner may file reply within three weeks.

Issue notice to the State also to file affidavit whether it  
has filed special leave petition against the acquittal of other co-  
accused.

List after three weeks for final disposal.

(O.P. Sharma)  
Court Master

(M.S. Negi)  
Assistant Registrar