

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. 3264/2000

(From the judgement and order dated 02/09/1999 in CRLA 10/91
and 17/91 of The HIGH COURT OF PATNA)

SHYAMA DEVI AND ANR.

Petitioner (s)

VERSUS

STATE OF BIHAR

Respondent (s)

(With Appln(s). for bail)
(With Office Report)

Date : 12/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAİK
HON'BLE MR. JUSTICE U.C. BANERJEE

For Petitioner (s) Mr. H.L. Agrawal, Sr. Adv.
Mr. K.K. Gupta, Adv.

For Respondent (s) Mr. Kumar Rajesh Singh, Adv. for
Mr. B.B. Singh, Adv.

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

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.SP2

The appeal stands disposed of in terms of the signed
order.

.SP1

(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No. of 2001@@
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Shyama Devi & Anr.

...Appellant (s)

Versus

State of Bihar

...Respondent(s)

O R D E R~@@
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.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
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Leave granted.

The two appellants who are the mother-in-law and husband of the deceased, have been convicted under Section 304-B, IPC and sentenced to imprisonment for life. The conviction and sentence has been upheld in appeal by the High Court. The High Court, however, on reappeciation of the evidence, gave benefit of doubt to the elder brother of the husband of the deceased. When the matter was listed before us for admission, a limited notice had been issued on the question of sentence. We, therefore, heard Mr. Agrawal, the learned senior counsel appearing for the appellants and the learned counsel appearing for the State of Bihar on the question of sentence.

Having regard to the facts and circumstances of the present case and the provisions of Section 304-B IPC and the age of the mother-in-law of the deceased who is appellant no.1 - Shyama Devi, we reduce the period of sentence to seven years
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(2)

and so far as the other appellant is concerned who happen to be the husband of the deceased, we reduce the sentence to 10 years. With this modification of sentence, the appeal stands disposed of.

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.....J@@
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(G.B. PATTANAİK)@@
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New Delhi,
January 12, 2001.

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(U.C. BANERJEE)@@
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