

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO. 890 OF 2001

Govinda

Appellant(s)

Versus

State of Madhya Pradesh & Anr.

Respondent(s)

(With office report)

Date: 29/05/2007 This matter was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE D.K. JAIN
[VACATION BENCH]

For Appellant(s)

Mr. Satyapal Khushal Chand Pasi, Adv.

For Respondent(s)

Mr. Rajeev Sharma, Adv.
Mr. C.D. Singh, Adv. for
Ms. Vibha Datta Makhija, Adv.

UPON hearing counsel the Court made the following
ORDER

The appeal is allowed in terms of the signed order.

(J.S. Rawat)
A.R.-cum-P.S.

(Vijay Aggarwal)
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 890 OF 2001

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ORDER

Having heard learned counsel for the parties and on perusal of the records, we find that the appropriate conviction in this case will be under Sections 354/34 and 457/34 of the Indian Penal Code (for short "IPC"). Custodial sentence of two years and three years respectively to run concurrently would meet the ends of justice. Fine of Rs.2,000/- in respect of each offence is imposed. In case of non-payment, the default sentence would be six months in each case. On the amount being deposited, 75% thereof would be paid to the victim - PW-1.

It is to be noted here that originally there were two accused persons who faced the trial and filed appeal before the High Court. But only accused Govinda has filed the appeal before this Court.

The appeal is allowed to the aforesaid extent.

.....J.
(Dr. ARIJIT PASAYAT)

New Delhi;
May 29, 2007.

.....J.
(D.K. JAIN)