

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).7380/2008

(From the judgement and order dated 20/04/2007 in
325/1999 of The HIGH COURT OF M.P AT GWALIOR)

CRLA No.

SULTAN

Petitioner(s)

V E R S U S

STATE OF M.P.

Respondent(s)

(With appln(s) for c/delay in filing SLP,exemption from filing O.T.)
(For final disposal)

Date: 27/07/2010

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)

Mrs.Rachana Joshi Issar,Adv.

Ms. Nidhi Tewari,Adv.

Mr. Viney Kumar Sharma,Adv.

For Respondent(s)

Mr. C.D. Singh,Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Leave granted.

Heard both sides

The criminal appeal is disposed of with a
direction to release the appellant (A-2) Sultan
forthwith if not required in connection with any
other case in terms of the signed order.

[Madhu Bala]

Sr.PA

(Signed order is placed on the file)

[Savita Sainani]

Court Master

I N T H E S U P R E M E C O U R T O F I N D I A

C R I M I N A L A P P E L L A T E J U R I S D I C T I O N

C R I M I N A L A P P E A L N O . 1 3 4 1 O F 2 0 1 0

(@ S P E C I A L L E A V E P E T I T I O N (C R L .) N O . 7 3 8 0 O F 2 0 0 8)

SULTAN

....APPELLANT

V E R S U S

STATE OF MADHYA PRADESH

....RESPONDENT

O R D E R

Delay condoned.

Leave granted.

Heard both sides.

According to the prosecution, the role assigned to the appellant i.e. A-2 was that, at the relevant time, he caught hold of the deceased and, in the said process, A-1 inflicted knife injuries on the chest which caused the death of the deceased. It is clear from the evidence placed on record that except the role that A-2 caught hold of the deceased he was not involved in causing injury. As a matter of fact, PW-4, wife of the deceased had not mentioned anything about A-2. In addition to the same, learned counsel appearing for the appellant, has brought to our notice that the appellant has already spent more than 12 years in jail. Taking note of these aspects

...2/-

-2-

particularly his limited role, we feel that ends of justice would be met if the order of sentence is reduced to the period already undergone by the appellant. We order accordingly.

The criminal appeal is thus disposed of with a direction to release the appellant (A-2) Sultan forthwith if not required in connection with any other case.

.....J.
[P.SATHASIVAM]

NEW DELHI
27TH JULY, 2010

.....J.
[ASOK KUMAR GANGULY]