

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). 27 OF 2010 @
SLP(Criminal) No.6061/2009

SHER SINGH Appellant (s)

VERSUS

STATE OF HIMACHAL PRADESH Respondent(s)

(With appln(s) for suspension of sentence and office report)

Date: 06/01/2010 This Appeal was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE R.M. LODHA

For Appellant(s) Ms. Rajni Ohri, Adv.for
Mr. M.P. Vinod,Adv.

For Respondent(s) Mr. Naresh K. Sharma,Adv.

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

Leave granted.

On the facts of the case, we maintain the conviction
of the appellant but reduce the sentence to the period
already undergone by him. The appellant is ordered to be
released forthwith subject to payment of fine and
compensation and if not required in any other case.

The Appeal is disposed of accordingly.

(Parveen Kr. Chawla)
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. 27 OF 2010
(Arising from SLP(Crl.) No.6061/2009)

Sher Singh ..Appellant

versus

State of Himachal Pradesh ..Respondent

O R D E R

Leave granted.

Heard learned counsel for the parties.

This Appeal has been filed against the impugned judgment of the High Court of Himachal Pradesh at Shimla dated 19th June, 2009.

The appellant was convicted by the Sessions Court for offences under Section 304 Part-II, IPC and Section 25 of the Arms Act, 1959 and was sentenced to undergo rigorous imprisonment for three years and to pay a fine of Rs.5,000/- for the offence under Section 304 Part-II of the Indian Penal Code and to undergo imprisonment for one year and to pay a fine of Rs.1,000/- for the offence under Section 25 of the Arms Act. It was also ordered that the appellant shall pay a sum of Rs.50,000/- as compensation to PW1-Smt. Veena Kanwar, widow of the deceased.

The appeal filed by the appellant has been dismissed by the High Court by the impugned order. Hence, this appeal before us.

-2-

This Court by its order dated 28th August, 2009 issued notice limited to the quantum of sentence only.

State is represented.

On the facts of the case, we maintain the conviction of the appellant but reduce the sentence to the period already undergone by him. The appellant is ordered to be released forthwith subject to payment of fine and compensation and if not required in any other case.

The Appeal is disposed of accordingly.

.....J.
[MARKANDEY KATJU]