

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).587/2009

(From the judgement and order dated 31/05/2008 in CRLA No. 681/2004
of The HIGH COURT OF KARNATAKA AT BANGALORE)

GOUNDER JAYANNA & ANR. Petitioner(s)

VERSUS

STATE OF KARNATAKA Respondent(s)

(With appln. for bail and office report)

Date: 26/03/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s) Mr. Sushil Kumar Jain,Adv.

For Respondent(s) Ms. Anitha Shenoy,Adv.

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

Leave granted.

The appeal is disposed of.

[Usha Bhardwaj] [Pushap Lata Bhardwaj]
Court Master Court Master

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.637 OF 2010
(Arising out of S.L.P.(Criminal) No.587 of 2009)

Goudara Jayanna & Anr. ...Appellants

Versus

State of Karnataka ...Respondent

O R D E R

Leave granted.

This appeal is directed against the final judgment and order dated 31st May, 2008 passed by the High Court of Karnataka at Bangalore in Criminal Appeal No.681 of 2004. By the impugned order, the High Court has affirmed the order of conviction passed by the Fast Track Court-II Bellary in S.C.No.55 of 1999, whereby the trial court had convicted and sentenced the appellants for offences

punishable under Sections 353 and 324 read with Section 34 of the Indian Penal Code,1860 (for short the 'IPC'). The trial court had sentenced the appellants to undergo simple imprisonment for a period of three months on each count and to pay a fine of Rs.1,000/- for offences punishable under the aforementioned provisions, with a default stipulation.

When the matter came up for motion hearing, notice was confined to the question as to why the sentences awarded to the appellants for different offences may not run concurrently.

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Accordingly, we have heard learned counsel for the appellants and the State on the said question.

Having regard to the facts and circumstances of the case and also keeping in view the nature of the injuries suffered by the complainant, we direct that the sentences awarded to the appellants for the aforementioned offences shall run concurrently in terms of Section 31 of the Code of Criminal Procedure, 1973.

The appeal stands disposed of in the above terms.

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

.....J.
(Dr.B.S. CHAUHAN)

New Delhi,
March 26, 2010.