

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No(s). 726 OF 2010

MOHAN LAL

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

with

CRIMINAL APPEAL No(s). 1686 OF 2010

O R D E R

We have heard learned counsel for the parties and are not inclined to interfere with the findings recorded by the High Court convicting the appellants under Section 409 read with Section 34 of the Indian Penal Code, 1860 (in short 'the IPC'). However, we are inclined to modify the sentence as the offence in question relates to an incident of 1976. Further the Judgment also records that Rs.11,000/- that was misappropriated had been deposited with interest. Lastly, the two appellants were 70 and 78 years of age on 29.07.2009, as is recorded in the judgment of

the High Court.

In the aforesaid factual background, we do not think it will be appropriate to send the appellants back to prison at the age of 80 & 88 years. The sentence is accordingly modified to the imprisonment already undergone with fine of Rs.5,00/- each, as was imposed by the High Court with default stipulation to undergo further imprisonment of three month in case of non payment of fine.

The appeals are allowed to the aforesaid extent.

.....J.  
(N.V. RAMANA)

.....J.  
(SANJIV KHANNA)

.....J.  
(KRISHNA MURARI)

NEW DELHI;  
JANUARY 16, 2020

ITEM NO.107

COURT NO.2

SECTION II-A

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

Criminal Appeal No(s). 726/2010

MOHAN LAL

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

WITH

CrI.A. No. 1686/2010 (II-A)

Date : 16-01-2020 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA  
HON'BLE MR. JUSTICE SANJIV KHANNA  
HON'BLE MR. JUSTICE KRISHNA MURARI

For Appellant(s) Mr. Ashwin Kumar Nain, Adv.  
Mr. Kunal Verma, Adv.  
Mr. Yugandhara Pawan Jhan, Adv.  
Mr. M. A. Krishna Moorthy, AOR  
  
Mr. B. K. Satija, AOR

For Respondent(s) Mrs. Swarupama Chaturvedi, AOR  
  
Mr. Rahul Kaushik, AOR  
Ms. Bhuvneshwari Pathak, Adv.  
Ms. Shilpi Satyapriya Satyam, Adv.  
Mr. Rahul Khatri, Adv.

UPON hearing the counsel the Court made the following  
O R D E R  
The appeals are allowed in terms of the signed order.  
Pending applications, if any, are disposed of.

(NEELAM GULATI)  
COURT MASTER (SH)

(RAJ RANI NEGI)  
ASSISTANT REGISTRAR

(Signed Order is placed on the file)