

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)... 2010
CRLMP.NO(s). 21976

(From the judgement and order dated 24/05/2010 in CRLRP No.
1448/2001 of The HIGH COURT OF KERALA AT ERNAKULAM)

SASI & ORS. Petitioner(s)

VERSUS

STATE OF KERALA Respondent(s)

(With appln(s) for c/delay in filing SLP and office report)

Date: 13/12/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s) Mr. K.P.Rajagopal,Adv.
Mr. A.Venayagam Balan,Adv.
Mr. Jaimon Andrews,Adv.

For Respondent(s)

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

Delay condoned.

Issue notice.

The learned counsel for the respondent-
complainant accepts notice.

Leave granted.

The appeal is dismissed.

[SUMAN WADHWA]
COURT MASTER

[VINOD KULVI]
COURT MASTER

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

CRIMINAL APPEAL NO. 2366 OF 2010
(Arising out of SLP(Crl.)No. 10329/2010)
(Arising out of SLP(Crl.)...CRLMP NO. 21976/2010)

SASI & ORS. .. APPELLANT(S)

vs.

STAE OF KERALA .. RESPONDENT(S)

O R D E R

Delay condoned.

Issue notice.

The learned counsel for the respondent-complainant accepts notice.

Leave granted.

The appellants stand convicted for offences punishable under Sections 341, 324 and 326 read with Section 34 of the Indian Penal Code. They have been awarded a sentence of one month under Section 341 and three years rigorous imprisonment under Section 326 of the I.P.C.. The Sessions Court confirmed the conviction and sentence in appeal. The matter was thereafter taken in revision before the High Court and the High Court has dismissed the revision petition but reduced the sentence under Section 326 of the IPC from three years to six months and has also imposed a fine of Rs.25,000/- on each of the accused.

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Before us today the learned counsel for the parties are agreed that they have compromised their dispute being close relatives.

In the light of the fact that the dispute has been settled and there is no public interest involved as it is a family matter and the accused have already deposited the very heavy fine in Court, we feel that the sentence of the accused should be reduced from six months to seven days. We direct that the entire amount of the fine be given to the injured.

With this modification in the sentence, the appeal is dismissed.

As prayed for, the appellants are given four weeks' time to surrender and to serve out their sentence.

.....J.
(HARJIT SINGH BEDI)

.....J.
(CHANDRAMAULI KR. PRASAD)

New Delhi,
December 13, 2010.