

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 304 of 2011

SAMSUNG INDIA ELECTRONICS P.LTD.

Appellant(s)

VERSUS

STATE OF M.P.& ORS.

Respondent(s)

O R D E R

We have heard learned counsel for the parties and have gone through the records of the case.

We find that no case has been made out for proceeding against the appellant under Section 420 of the Indian Penal Code (IPC) read with 120B of the IPC. The case of the respondent / complainant was that he had purchased a 29" TV from a distributor / dealer but when he went home, he found that the TV screen was not 29" but 27".

According to the appellant, the size of a Cathode Ray Tube in the TV is of importance and that was 29". The screen size taken diagonally may be less than 29" because of the border around the TV screen. It is submitted that Cathode Ray Tube Televisions are no longer manufactured by the appellant.

In our opinion the facts that have been mentioned in the complaint do not make out a basis for proceeding against the appellant under Section 420 of

the IPC read with 120B of the IPC.

Accordingly, we quash the complaint made against the appellant.

We have seen the latest brochures that are produced by the appellant but find that there is no clear mention about the size of the TV screen. The appellant should now clearly mention the actual size of the screen which is visible to a consumer in the brochures that are distributed by them. This will equally apply to all the manufacturers of TV sets.

The criminal appeal is allowed.

.....J.  
[Madan B. Lokur]

.....J.  
[R.K. Agrawal]

NEW DELHI  
AUGUST 5, 2015

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

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VERSUS

STATE OF M.P.& ORS.  
(With office report)

Respondent(s)

Date : 05/08/2015 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE R.K. AGRAWALFor Appellant(s) Mr. Gopal Jain, Sr. Adv.  
Ms. Meenakshi Midha, Adv.  
Ms. Chinmayee Chandra, Adv.  
Ms. Jyoti Nagpal, Adv.  
Mr. Neeraj Singh, Adv.  
Mr. Pranab Kumar Mullick, Adv.For Respondent(s) Mr. Avijit Bhattacharjee, Adv .  
  
Mr. C. D. Singh, Adv.  
  
Ms. Pratibha Jain, Adv.

UPON hearing the counsel the Court made the following

## O R D E R

The criminal appeal is allowed in terms of the  
signed order.(Meenakshi Kohli)  
COURT MASTER(Jaswinder Kaur)  
COURT MASTER

[Signed Order is placed on the file]