

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION



CRIMINAL APPEAL NO(S). 864-865 OF 2022
[SLP (Cr1.) Nos. 3402-3403/2022]

SANAL KUMAR

APPELLANT

VERSUS

STATE OF KERALA & ANR.

RESPONDENT

O R D E R

Leave granted.

I.A. No. 73587 of 2022, which is an application for deletion of respondent no. 2 is allowed.

In view of fact that the appellant has been sentenced to rigorous imprisonment for three years, we are inclined to set aside the impugned order and direct that the appellant is entitled to benefit of suspension of sentence, on terms and conditions that would be fixed by the trial court.

The impugned order(s) accordingly is set aside and the appeals are allowed in the aforesaid terms.

Pending application(s), if any, shall stand disposed of.

..... J.
[SANJIV KHANNA]

..... J.
[BELA M. TRIVEDI]

NEW DELHI;
MAY 20, 2022

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

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 3402-3403/2022

(Arising out of impugned final judgment and order dated 05-01-2022 in CRMA No. 1/2021 18-02-2022 in CRMA No. 2/2022 passed by the High Court Of Kerala At Ernakulam)

SANAL KUMAR

Petitioner(s)

VERSUS

STATE OF KERALA & ANR.

Respondent(s)

([LIST NEXT WEEK---ORAL MM---12.05.2022---14/802])

Date : 20-05-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Mr. Raghenth Basant, Adv.
Mr. M.F. Philip, Adv.
Ms. Purnima Krishna, AOR
Ms.Roopali Lakhotia, Adv.

For Respondent(s) Mr. Nishe Rajen Shonker, AOR
Ms. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv.

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

Leave granted.

I.A. No. 73587 of 2022, which is an application for deletion of respondent no. 2 is allowed.

The appeals are allowed and the appellant is entitled to benefit of suspension of sentence in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(SONIA BHASIN)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR

[Signed Order is placed on the file]