

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1546 OF 2013
(Arising out of SLP(Crl)No.4696/2013)

STATE OF M.P. ...Appellant

VERSUS

RAMESH AND ORS ...Respondents

O R D E R

Leave granted.
Heard learned counsel for the parties.

This appeal has been filed by the State against the impugned judgment of the High Court of Madhya Pradesh (Gwalior Bench) in Criminal appeal No.969 of 2010 by which it has partly allowed the appeal of the respondents and reduced the sentence from 3 years to 3 days and imposed a fine amount of Rs.1500/-. The appellants-respondents herein were convicted by the Trial Court for the offences punishable under Sections 326/149, 325/149, 325/149 and 148 of Indian Penal Code, 1860.

In the facts and circumstances of the case and after perusing the record and considering the gravity of the offence, we are of the opinion that the sentence of the respondents is liable to be enhanced. This Court in Criminal Appeal No.1156/2013 @ SLP(Crl)No.9420/2012 in State of M.P. VS. Babulal & Ors. held that taking such a lenient view in awarding the sentence tantamounts to doing injustice of a crude form against the innocent victims and the society as a whole.

Accordingly, the sentence of the respondents is increased from 3 days to one year with a fine of Rs.1500/-. The respondents are directed to surrender within four weeks failing which the Chief Judicial Magistrate, Guna, Madhya Pradesh will take the respondents into custody and send them to jail to serve out the remaining part of the sentence. A copy of the order be sent to the learned Chief Judicial Magistrate concerned, for compliance.

With the above modifications in the impugned order of the High Court, the appeal stands disposed of.

.....J.
[DR. B.S. CHAUHAN]

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).4696/2013

(From the judgement and order dated 06/11/2012 in CRLA No.969/2010, of The HIGH COURT OF M.P AT GWALIOR)

STATE OF MP

Petitioner(s)

VERSUS

RAMESH AND ORS

Respondent(s)

(With appln(s) for exemption from filing O.T.)

Date: 27/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s) Ms. Bansuri Swaraj,Adv.
Mr. C.D. Singh,Adv.

For Respondent(s) Mr. Dushyant Parashar,Adv.
Mr. Adil Muneer Andrabi,Adv.

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

Leave granted.

The appeal stands disposed of, in terms of the signed order.

The sentence of the respondents is increased from 3 days to one year with a fine of Rs.1500/-. The respondents are directed to surrender within four weeks failing which the Chief Judicial Magistrate, Guna, Madhya Pradesh will take the respondents into custody and send them to jail to serve out the remaining part of the sentence. A copy of the order be sent to the learned Chief Judicial Magistrate concerned, for compliance.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master

(Signed order is placed on the file)