

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 1237 OF 2018
[@ SPECIAL LEAVE PETITION (CRL.) NO. 3172 OF 2018]

OMPRAKASH @ MANTA

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The appellant is aggrieved since the High Court declined to suspend the sentence during the pendency of the criminal appeal pending before the High Court. It is not in dispute that the sentence has been suspended in the case of Accused Nos. 2, 3 and 4, who have been convicted and sentenced along with the appellant herein.

3. Having heard the learned counsel appearing for the appellant and the learned counsel appearing for the State and having gone through the available pleadings before us, we are of the view that the sentence needs to be suspended in the case of the appellant herein also on the ground of parity.

4. Accordingly, this appeal is disposed of as follows :-

(i) The appellant shall be released on bail subject to depositing the entire fine amount and on furnishing a personal bond to the tune of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties of the like amount to the satisfaction of the Chief Judicial Magistrate, Katni.

(ii) The appellant shall also appear before the Registry of the High Court on the last working day of every month.

.....J.
[KURIAN JOSEPH]

.....J.
[SANJAY KISHAN KAUL]

.....J.
[NAVIN SINHA]

New Delhi;
October 01, 2018.

ITEM NO.33

COURT NO.3

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

Petition for Special Leave to Appeal (C) No. 3172 of 2018

OMPRAKASH @ MANTA

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(FOR ADMISSION and I.R. and IA No.43657/2018-CONDONATION OF DELAY IN FILING and IA No.43658/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.43659/2018-EXEMPTION FROM FILING O.T.)

Date : 01-10-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE NAVIN SINHA

For Appellant(s) Mr. Vikas Upadhyay, AOR
Mr. Ashwin Kumar Nair, Adv.

For Respondent(s) Mr. Naveen Sharma, Adv.
Mr. Arjun Garg, AOR

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

Leave granted.

The appeal is disposed of in terms of the signed non-reportable Judgment.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed non-reportable Judgment is placed on the file)