

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.310 OF 2024  
[ARISING FROM SLP (CRL.) NO.5271/2020]

MUHAMMED KUNHI

APPELLANT(S)

VERSUS

P.P. BABY & ANR.

RESPONDENT(S)

O R D E R

Leave granted.

2. Nobody is present on behalf of the complainant/respondent No.1 despite service of notice.

3. We have heard learned counsel for the appellant and perused the relevant material.

4. The Trial Court has convicted the appellant and sentenced him to undergo imprisonment for a period of six months and to pay a fine of Rs.3,00,000/- with default clause.

5. In appeal, the appellate Court, while confirming the conviction and fine amount, reduced the sentence and awarded it as till rising of the Court.

6. Pursuant to the interim orders passed by this Court, the appellant has deposited the amount

of fine of Rs.3,00,000/- on 05.03.2020 before the Trial Court.

7. Learned counsel for the appellant submits that the appellant is a lawyer and the sentence of till the rising of the Court may also be set aside as the appellant has already deposited the amount of fine.

8. Considering the facts and circumstances of the case and also the fact that the appellant has deposited the amount of fine, although without any interest, we feel that it would be in the interest of justice if the sentence of till the rising of the Court be substituted by imposing a further amount of Rs.50,000/- as compensation in lieu of the said sentence.

9. Accordingly, the appellant shall deposit further amount of Rs.50,000/- before the Trial Court within four weeks from today.

10. The Trial Court shall remit the entire amount to respondent no.1 already lying in deposit along with accrued interest, if any, and also the further amount of Rs.50,000/- now directed to be deposited by the appellant as above, within four weeks of the deposit so made by the appellant.

11. To the above extent, the impugned order shall stand modified.

12. The appeal is partly allowed to the above extent.

....., J.  
(VIKRAM NATH)

....., J.  
(SATISH CHANDRA SHARMA)

NEW DELHI;  
JANUARY 19, 2024.

ITEM NO.26

COURT NO.8

SECTION II-B

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 (CrI.) No(s). 5271/2020

(Arising out of impugned final judgment and order dated 13-11-2019 in CRP No. 1217/2019 passed by the High Court Of Kerala At Ernakulam)

MUHAMMED KUNHI

Petitioner(s)

VERSUS

P.P. BABY &amp; ANR.

Respondent(s)

(FOR ADMISSION and I.R. )

Date : 19-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH

HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) Mr. Renjith B. Marar, Adv.  
Ms. Lakshmi N. Kaimal, AOR  
Mr. Rajkumar Pavothil, Adv.  
Mr. Jaleen Johnson, Adv.  
Mr. Harsh Vardhan Shah Shyam, Adv.  
Mr. Keshavraj Nair, Adv.  
Mr. Davesh Kumar Sharma, Adv.  
Ms. Ashu Jain, Adv.

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

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

Leave granted.

The appeal stands partly allowed in terms of  
the signed order.

Pending application(s) shall stand disposed of.

(NEETU KHAJURIA)  
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILEY)  
COURT MASTER

(Signed order is placed on the file.)