

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Part-Heard  
Criminal Appeal Nos.149-150 of 2002

Simon & Ors. Appellant(s)

VERSUS

State of Karnataka Respondent(s)  
(With appln.(s) for permission to place addl. documents on  
record and exemption from filing O.T.)

Date : 27/11/2003 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL  
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Appellant (s)Mr. Colin Gonsalves, Adv.  
Mr. P. Ramesh Kumar, Adv.  
Mr. John Vincent, Adv.  
for Ms. Aparna Bhat, Adv.

For Respondent (s)Mr. Sudhir Walia, Adv.  
Mr. Anil K. Mishra, Adv.  
Mr. Sanjay R. Hegde, Adv.

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

We have heard Mr.Gonsalves, learned counsel appearing for the appellants, and Mr.Sudhir Walia, learned counsel appearing for the State, and have scrutinised the materials on record. Having regard to the facts and circumstances of the case, prima facie, we are of the view that in case of conviction being upheld, the sentence deserves to be enhanced from life imprisonment to death penalty.

Accordingly, we direct that notice be issued to the appellants to show cause why punishment be not enhanced from life

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imprisonment to death penalty, returnable for 10th December, 2003.  
Put up for further hearing on 10th December, 2003.

(N. Annapurna) (V.P. Tyagi)  
Court Master Court Master

LIST OF BOOKS REFERRED

- 1.1992 (3) SCR 480 at 506
- 2.1970 (2) SCC 128 at 133
- 3.1998 (5) SCC 103 at 107
- 4.2003 (5) SCALE 152 at 156 = 2003 (5) SCC 746 at 751
- 5.AIR 1953 SC 468, para 8