

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 272 OF 2018
[@ SPECIAL LEAVE PETITION (CRL.) NOS. 910 OF 2018]

NARESH

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 before this Court, aggrieved by the Judgment dated 11.05.2017 passed by the High Court of Madhya Pradesh, Bench at Gwalior, in Criminal Appeal No. 226 of 2007. The punishment of one year and fine of Rs. 3000/- imposed on the appellant under Section 325 IPC was confirmed by the High Court.

3. When the matter came up before this Court, the following order was passed on 25.01.2018:-

"Delay condoned.

Issue notice, returnable in two weeks.

*Notice may also be served on the
standing counsel for the State of*

Madhya Pradesh.

The learned counsel for the petitioner submits that in the counter case, Munnalal, who had been awarded punishment for one year under Section 325 IPC, was awarded only a punishment till the rising of the Court in the National Lok Adalat. It is also submitted that the parties have since purchased peace and there is no law and order problem there and the parties are living in peace.

We direct the respondent-State to get specific instruction on the above submissions on the next date of hearing. We make it clear that there shall be no adjournment.

The petitioner is also directed to serve a copy of this Special Leave Petition along with this order on the Station House Officer (SHO), Gaswani District, Sheopur, Madhya Pradesh, who shall be personally present before this Court on the next date of hearing.

List on 15.02.2018."

4. Pursuant to the above order, Mr. Shivram Singh Kansana, SHO, Gaswani District, Sheopur, Madhya Pradesh is present before us today. With reference to the order noted above, it is informed that the parties have settled their disputes and there is no law and order problem in the area.

5. It is also confirmed that in the counter case, the first accused, who had also been sentenced to one year imprisonment under Section 325 IPC, in respect of the same incident, has been given a lighter sentence of imprisonment till the rising of the court in the National Lok Adalat.

6. In the above circumstances, we are of the view that the punishment imposed on the appellant also needs to be modified to the extent that the same shall be limited to the period already undergone. Ordered accordingly. The appellant shall be released from jail, in case he is not otherwise required in any other case.

7. In view of the above, the appeal is disposed of.

.....J.
[KURIAN JOSEPH]

.....J.
[MOHAN M. SHANTANAGOUDAR]

New Delhi;
February 15, 2018.

ITEM NO.6

COURT NO.5

SECTION II-A

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). 910/2018

(Arising out of impugned final judgment and order dated 11-05-2017 in CRLA No. 226/2007 passed by the High Court Of M.p At Gwalior)

NARESH

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(IA No.8124/2018-CONDONATION OF DELAY IN FILING and IA No.8126/2018-EXEMPTION FROM FILING O.T. and IA No.8125/2018-CONDONATION OF DELAY IN REFILING)

Date : 15-02-2018 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Shishir Kumar Saxena, Adv.
Mr. Amit Lahoti, Adv.
Mr. Jay Kumar Bhardwaj, Adv.
Mr. Virag Gupta, Adv.
Mr. Praveen Swarup, AOR

For Respondent(s) Ms. Swarupama Chaturvedi, Adv.
Mr. B. N. Dubey, Adv.

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 Applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

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