

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 983 OF 2018
(Arising from S.L.P. (Criminal) No. 5205 OF 2018)

SAJID ... APPELLANT (S)

VERSUS

THE STATE OF UTTARAKHAND AND
ANOTHER ... RESPONDENT (S)

J U D G M E N T

KURIAN, J.:

Leave granted.

2. The appellant is convicted under Sections 363 and 366 of the Indian Penal Code and sentenced to undergo imprisonment for a period of seven years with a fine of Rs.1,000/-. He is in jail undergoing the sentence. On the submission that the parties have subsequently entered into a compromise, the *de facto* complainant was added as a party.

3. The learned counsel for the *de facto* complainant submits that she has since been married to another person and they are living happily and they have no complaint against the appellant. We

have heard the learned counsel for the State as well. It is submitted that there is no other repercussion arising out of the instant case, in the locality.

4. Having heard the learned counsel for the appellant and the learned counsel for the respondents, we are of the view that in the given circumstances, for doing complete justice between the parties, the sentence needs to be modified. However, the conviction is confirmed. The sentence is limited to the period already undergone. The appellant shall pay a fine of Rs.2,00,000/- (Rupees Two Lakhs), which shall be paid to the second respondent by way of compensation within a period of one month from today.

5. The appeal is allowed as above. It is directed that in case the appellant is not required in connection with any other case, he shall be released forthwith.

.....J.
(KURIAN JOSEPH)

.....J.
(SANJAY KISHAN KAUL)

**NEW DELHI;
AUGUST 10, 2018.**