

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 219 OF 2011
[ARISING OUT OF SLP(CRL.) NO. 8982 OF 2010]

RUBI DEVI & ANR.

..... APPELLANTS

VERSUS

STATE OF BIHAR

..... RESPONDENT

O R D E R

1. Leave granted.

2. The appellants herein are the married sisters-in-law of the complainant Punam Devi who had filed a complaint under Sections 498A and 323 of the Indian Penal and Section 4 of the Dowry Prohibition Act. On conviction, the appellants have been sentenced by the trial court to one year rigorous imprisonment and a fine of Rs. 2500/- and in default of payment of fine to undergo further rigorous imprisonment for 21 days under Section 498A IPC and three months rigorous imprisonment under Section 323 IPC and a further sentence for two months rigorous imprisonment and a fine of Rs. 1000/- under Section 4 of the Dowry Prohibition Act and payment of fine of Rs. 1000/- and in default of payment of fine to undergo further imprisonment of seven days. The

sentences aforesaid were affirmed by the Appellate court. The High Court in revision has reduced the sentence to eight months rigorous imprisonment for the offence under Section 498A but affirmed the conviction and sentence by the courts below awarded with respect to the other offences.

3. When this matter came up before this Court on the 12th November, 2010, notice was issued confined to the quantum of sentence, returnable within four weeks keeping in mind that the appellants herein were the married sisters-in-law of the complainant. We see that the appellants have undergone about five months of the sentence under Section 498A. We feel that in the facts of the case, the sentence awarded to the appellants under Section 498A of the IPC should be reduced to that already undergone. We make an order accordingly.

4. The appellants shall be released forthwith if not required in connection with any other case.

5. The appeal is dismissed with the above modification in the sentence.

.....J
[HARJIT SINGH BEDI]

.....J

[CHANDRAMAULI KR. PRASAD]

NEW DELHI
JANUARY 18, 2011.

