

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.877 OF 2008
[ARISING OUT OF SLP (CRIMINAL) NO.6416 OF 2007]

RAMJI JIRANGA PAWAR & ORS.

Appellants

VERSUS

STATE OF MAHARASHTRA

Respondent

ORDER

1. Leave granted.

2. In this appeal the trial Court by its judgment dated 30.3.2005 convicted appellant No.1 (Ramji Jiranga Pawar) for the offence punishable under Section 324 of the Indian Penal Code (in short "IPC") and sentenced him to suffer rigorous imprisonment for three years with fine of Rs.2000/- and in default of payment of fine to suffer rigorous imprisonment for six months. The trial court also convicted appellant No.2 (Parbatsingh Jiranga Pawar) and appellant No.3 (Dwarka Bhusalya Pawar) for the offence punishable under Section 323 IPC and sentenced them to suffer rigorous imprisonment for one year with fine of Rs.1000/- and in default of payment of fine to undergo rigorous imprisonment for one month.

3. On appeal, the High Court by its judgment dated 11th April, 2007 confirmed the conviction and sentence awarded to the appellants by the trial court.

4. Considering the facts and circumstances of the case and having carefully gone through the evidence placed on record, in our view, the ends of justice will be sub-served if the sentence awarded to appellant No.1 is reduced from 3 years R.I. to 1= years R.I. and the sentence of appellant Nos. 2 & 3, who are stated to have already undergone almost 7 months R.I., is reduced to the period already undergone by them. We order accordingly. Appellant Nos. 2 and 3 shall be released forthwith, if not required in any other case.

5. The appeal stands disposed of accordingly.

.....J.
(P.P. Naolekar)

.....J.
(V.S. Sirpurkar)

New Delhi;
May 13, 2008.