

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 2408 OF 2009
(Arising out of SLP(Cr1.) No.8393/2009)

PARAS NATH SINGH AND ORS.

Appellant(s)

:VERSUS:

STATE OF BIHAR

Respondent(s)

O R D E R

Delay condoned. Leave granted.

We have heard learned counsel appearing on behalf of the appellants and learned counsel appearing for the State.

The appellants have been convicted by the Trial Court and the judgment of the Trial Court has been upheld by the High Court.

Accused Rajendra Singh, Paras Nath Singh (Appellant No.1 herein) and Ranjan Singh (Appellant No.5 herein) were convicted and sentenced to undergo rigorous imprisonment for two years under Sections 324 of the Indian Penal Code. They were further sentenced to undergo rigorous imprisonment for two years under Section 148 of the I.P.C. It is stated that Rajendra Singh has died.

Accused Ajay Singh, Vinay Singh and Ram Naresh Singh, Appellant Nos.2, 3 & 4 herein, were convicted and sentenced to undergo rigorous imprisonment for one year for the offence under Section 323 of I.P.C. and they were further directed to undergo rigorous imprisonment for one year under Section 147 of the I.P.C.

Learned counsel for the appellants submitted that the parties are very close relations. During the pendency of the matter, the parties have also arrived at an amicable settlement. The parties have filed an application for compounding of the offences under Section 324 of the I.P.C.

It is not disputed that the appellants have undergone imprisonment for more than 4½ months. Looking to the peculiar facts and circumstances of this case, in our considered view, ends of justice would meet if, while upholding the conviction of the appellants their sentence is reduced to the period already undergone by them. We direct accordingly.

The appellants are directed to be released forthwith, if not required in connection with any other case. The appeal is disposed of accordingly.

In view of the aforesaid order, no orders are necessary on the application for impleadment which stands disposed of.

.....J
(DALVEER BHANDARI)

.....J
(A.K. PATNAIK)

New Delhi;
December 15, 2009.

