

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

**CRIMINAL APPEAL NO.1740/2019
(@Petition for Special Leave to Appeal (Cr1.) No.1565/2019)**

SAJU P R

Petitioner(s)

VERSUS

THE STATE OF KERALA & ORS.

Respondent(s)

O R D E R

Leave granted.

This appeal takes exception to the judgment and order dated 27.9.2018 passed by the High Court of Kerala at Ernakulam in Criminal M.C. No.5276 of 2018.

We have heard the learned counsels appearing for the parties.

Considering the peculiar facts of the present case, the affidavit filed by the complainant and other materials on record, in our opinion, the relief claimed by the appellant to quash the criminal proceedings pending against him deserves to be acceded to for doing complete justice to the parties concerned.

Accordingly, the impugned judgment and order passed by the High Court is set aside and the Miscellaneous Case filed by the appellant before the High Court stands allowed.

The appeal is allowed in the afore-stated terms.

All pending applications, if any, are disposed of.

.....J
(A.M. KHANWILKAR)

.....J
(DINESH MAHESHWARI)

**NEW DELHI;
22ND NOVEMBER, 2019.**

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

CRIMINAL APPEAL NOS.1741-1742/2019

(@Petition for Special Leave to Appeal (CrI.) Nos.2694-2695/2019)

SULTANI AND ANR.

Petitioner(s)

VERSUS

STATE (N.C.T. OF DELHI)

Respondent(s)

O R D E R

Leave granted.

Applications for impleadment are allowed.

These appeals take exception to the Judgment and Order dated 25.2.2019 passed by the High Court of Delhi at New Delhi in Criminal Appeal No.64 of 2005.

We have heard the learned counsels appearing for the parties.

The appellants have been convicted for offences punishable under Sections 325, 353 and 452 read with Section 34 of Indian Penal Code. The appellants are not questioning the finding of guilt and conviction. The only submission advanced on behalf of the appellants is to modify the sentence period awarded by the High Court to one already undergone by them.

Learned counsel appearing for the complainant and the learned counsel appearing for the State of N.C.T. of Delhi have resisted this submission but, eventually, have left it to the discretion of this Court.

Taking overall view of the matter and in the peculiar facts and circumstances of the present case, we accede to the submission to reduce the sentence to the period already undergone.

Rest of the order of conviction and fine passed by the High Court shall remain as it is.

The appeals are partly allowed only to the limited extent as indicated hitherto.

All pending applications, if any, are also disposed of.

.....J
(A.M. KHANWILKAR)

.....J
(DINESH MAHESHWARI)

NEW DELHI;
22ND NOVEMBER, 2019.

ITEM NO.24

COURT NO.7

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (CrI.) No.1565/2019

(Arising out of impugned final judgment and order dated 27-09-2018 in CRLMC No. 5276/2018 passed by the High Court of Kerala at Ernakulam)

SAJU P R

Petitioner(s)

VERSUS

THE STATE OF KERALA & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

WITH

SLP(CrI) No. 2190/2019 (II-B)

SLP(CrI) No. 2694-2695/2019 (II-C)

(IA No. 40278/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 40279/2019 - EXEMPTION FROM FILING O.T., IA No. 43224/2019 - INTERVENTION/IMPLEADMENT, IA No. 42437/2019 - INTERVENTION/IMPLEADMENT AND IA No. 49633/2019 - LEAVE OF THE COURT UNDER SECTION 320, CR.P.C. TO COMPOUND/COMPROMISE)

Date : 22-11-2019 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s)

Mr. Salman Khurshid, Sr. Adv.

Mr. Sanjay R. Hegde, Sr. Adv.

Mr. M.S. Khan, Adv.

Mr. Bilal Anwar Khan, Qef.

Ms. Tehseema Z. Hussain, Adv.

Ms. Lubna Naaz, Adv.

Mr. Shakeel Ahmad, Adv.

Dr. Nafis A. Siddiqui, AOR

Mr. Narender Hooda, Sr. Adv.

Mr. Simranjeet Singh, Adv.

Ms. Nida Doon, Adv.

Ms. Bano Deswal, Adv.

Dr. Surender Singh Hooda, AOR

Mr. Anzu. K. Varkey, AOR

For Respondent(s)

Mr. Shakil Ahmed Syed, AOR

Ms. Sonia Mathur, Sr. Adv.

Mr. S. Udaya Kumar Sagar, Adv.

Mr. Manish, Adv.

Mr. Sushil Dubey, Adv.

Ms. Divya A. Nair, Adv.

Mr. Anuj Aggarwal, Adv.

Mr. Puneet Pathak, Adv.

Mr. Uday Kr. Shetty, Adv.

Mr. B. V. Balaram Das, AOR

Mr. G. Prakash, AOR

Mr. Jishnu M.L., Adv.

Mrs. Priyanka Prakash, Adv.

Mrs. Beena Prakash, Adv.

Mr. N.P. Rakeesh Panicker, Adv.

Mr. S. K. Verma, AOR

Mr. Nikhil Goel, AAG

Ms. Naveen Goel, Adv.

Mr. Dushyant S., Adv.

Dr. Monika Gusain, AOR

UPON hearing the counsel the Court made the following
O R D E R

Special Leave Petition (Crl.) No.1565/2019:-

Leave granted.

The Appeal is allowed in terms of the signed order.

All pending applications, if any, are disposed of.

Special Leave Petition (Crl) No. 2190/2019:-

List the matter on Thursday, the 28th November, 2019.

Special Leave Petition (Crl) Nos. 2694-2695/2019:-

Leave granted.

The appeals are partly allowed in terms of the signed order.

All pending applications, if any, are also disposed of.

(VISHAL ANAND)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)

(Two separate Signed Orders are placed on the file)

