

(1981) 04 SC CK 0022

Supreme Court of India

Case No: Criminal Appeal No. 441 Of 1981

Om Prakash and
others

APPELLANT

Vs

State of Madhya
Pradesh

RESPONDENT

Date of Decision: April 10, 1981

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 360(1)
- Penal Code, 1860 (IPC) - Section 323

Citation: (1982) CriLJ 628(1) : (1982) 3 SCC 224

Hon'ble Judges: P. N. Bhagwati, J; A. Varadarajan, J

Bench: Division Bench

Final Decision: Allowed

Judgement

P.N. Bhagwati, J.

We think that having regard to the facts and circumstances of the present case and particularly in view of the fact that the offence of which the appellants have been convicted is one u/s 323, I.P.C., it would meet the ends of justice if the appellants are not sent to jail but are released on probation u/s 360(1) of the CrPC, 1973. We accordingly allow the appeal on the question of sentence, set aside the sentence of imprisonment imposed on the appellants and direct that each of the appellants be released on his entering into a bond in the sum of Rs. 500 with one surety for the like amount to appear and receive sentence when called upon during a period of six months and in the meantime, to keep the peace and be of good behaviour.