

Om Prakash And Others vs State Of Madhya Pradesh on 10 April, 1981

Equivalent citations: 1982CRILJ628A, (1982)3SCC224, 1982 CRI. L. J. 628(2), 1982 CRI LJ 628(2), 1982 3 SCC 239, (1983) ALL RENTCAS 1, (1983) BLJ 41, 1982 (3) SCC 230, (1982) LS 21, (1983) GUJ LH 32.2, (1983) PAT LJR 15, 1982 (1) SCJ 190, 1982 SCC (CRI) 702, (1982) LS 22, 1982 GUJLH 343 (2), 1982 (3) SCC 224, (1982) GUJ LH 343(2), AIR 1982 SUPREME COURT 783(2)

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Bench: A. Varadarajan, P.N. Bhagwati

JUDGMENT

P.N. Bhagwati, J.

1. 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 under Section 323, I.P.C., it would meet the ends of justice if the appellants are not sent to jail but are released on probation under Section 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.