

Supreme Court of India

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

Equivalent citations: 1982 CriLJ 628 a, (1982) 3 SCC 224

Author: P Bhagwati

Bench: A Varadarajan, P Bhagawati

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.