

Municipal Corporation of Delhi

Vs

Bhawani Shanker

Criminal Appeal No. 28 of 1976

(O. Chinnappa Reddy, Baharul Islam JJ)

20.02.1981

JUDGMENT

CHINNAPPA REDDY, J. -

At the time of granting special leave a statement was made on behalf of the appellant that if the appeal were to be accepted he would not press for the imposition of any sentence on the respondent. All that was required was determination of the question of law involved in the appeal. Since the filing of this appeal, the question of law raised in this case has been decided in Municipal Corporation of Delhi v. Ram Sarup (AIR 1980 SC 174 : 1980 Cri LJ 216 : (1980) 1 SCC 580 : 1980 SCC (Cri) 137). It is therefore unnecessary for us to go into this question once more. Following the judgment of this Court we hold that the acquittal is wrong but we refrain from passing any further orders. The appeal stands disposed of accordingly.

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