

Narayansingh Nathusingh

Vs

Natvarlal Harilal Thakkar and Another

Criminal Appeal No. 340 of 1981

(A.D. Koshal, E.S. Venkataramiah JJ)

27.03.1981

JUDGMENT

KOSHAL J. –

1. Special leave granted.

2. The appellant has been convicted of an offence under Section 332 of the Indian Penal Code and sentenced to rigorous imprisonment for three months and a fine of Rs. 500, the sentence in default of payment of fine being rigorous imprisonment for a month. It would suffice for the ends of justice to convert the unexpired portion of the substantive sentence of imprisonment into a fine of Rs. 1500, so that the sentence imposed upon him, as amended hereby, would be rigorous imprisonment for the period of already undergone (which is 29 days) and a total fine of Rs. 2000. We order accordingly. If the fine is not paid the appellant shall suffer rigorous imprisonment for three months. Out of the fine realised, a sum of Rs. 1000 shall be paid to respondent 1 as compensation.

3. With the above modification in the sentence, the appeal is dismissed.

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