

Shah Noor

Vs

State of Andhra Pradesh

Criminal Appeal No. 576 of 1981

(Syed M. Fazal Ali, A.P. Sen JJ)

27.07.1981

JUDGMENT

1. Special leave granted limited to the question of sentence.
2. The appellant has settled the differences with the complainant, but as the offence under Section 326, Indian Penal Code is not compoundable, however, having regard to the peculiar circumstances of this case we uphold the conviction of the appellant but reduce his sentence to the period already undergone. In lieu of remission in sentence we impose a fine of Rs 3000 to be paid to the complainant, in default of payment of fine the appellant will suffer rigorous imprisonment for one year. Counsel for the appellant states that a sum of Rs 2000 has already been deposited, out of which a sum of Rs 1000 has already been paid to the complainant. We further direct that the appellant shall deposit a sum of Rs 1000 within three months from today if he has already deposited a sum of Rs 2000. The whole amount of Rs 3000 shall be paid to the complainant.

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