

SUPREME COURT OF INDIA

Babu Singh and Another

Vs

Reshampal Singh and Another

Appeal (Crl.) 1604 of 2005 (With Criminal Appeal No. 1605 of 2005)

(S. B. Sinha and Markandeya Katju, JJ)

22.11.2006

JUDGMENT

MARKANDEY KATJU, J.

These appeals have been filed against the impugned judgment and order of the Punjab and Haryana High Court dated 24.10.2002 in Criminal Appeal No. 616-DB of 2001.

Heard learned counsel for the parties and perused the record.

The trial court by its judgment dated 18.10.2001 convicted accused Resham Pal Singh and sentenced him to death under Section 302 of the Indian Penal Code, but the High Court while affirming the conviction has reduced the sentence to life imprisonment. The High Court has further directed the appellant to pay a fine of Rs. 50, 000/- and in default to undergo further RI for a period of one year for the offence under Section 302 IPC. The High Court also maintained the sentence of imprisonment for five years and to pay a fine of Rs. 1, 000/- awarded under Section 307 IPC. In default of payment of fine the appellant had to undergo further RI for a period of two months. The amount of fine of Rs. 50, 000/-, if realized from the appellant was directed to be paid to Harpreet Singh, who has lost his parents.

In these two appeals the prayer was to enhance the punishment to death sentence.

We have gone through the evidence and have considered the facts of the case.

In our opinion, there is no reason to interfere with the impugned judgment of the High Court. The question of sentence has been considered by the High Court in detail in paragraph 36 of its judgment and, therefore, we see no reason to differ from the view taken by the High Court. Hence, both the appeals are dismissed and the impugned judgment and order of the High Court stands upheld.