

ITEM NO.6 Court 7 (Video Conferencing) SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 10148/2020

(Arising out of impugned final judgment and order dated 16-08-2019 in CRLR No. 221/2015 passed by the High Court Of Uttarakhand At Nainital)

GAUTAM YADAV Petitioner(s)

VERSUS

THE STATE OF UTTARAKHAND Respondent(s)

(IA No. 46903/2020 - CONDONATION OF DELAY IN FILING IA No.46905/2020 - EXEMPTION FROM FILING O.T. IA No. 102660/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 03-12-2020 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. Ashwani Kumar Sharma, Adv.
Mr. Ravi Kumar Tomar, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

We do not find any ground to interfere with the order of conviction upheld by the High Court. However, we are inclined to reduce the sentence under Sections 279 and 304A of the Indian Penal Code from one year to six months rigorous imprisonment and would enhance the fine to Rs.30,000/- (Rupees thirty thousand only). The amount of fine as enhanced would be deposited with the Trial Court within a period of three months from today. In case of default of

payment of fine, the petitioner shall undergo simple imprisonment for a period of one month.

Out of the amount of fine, Rs.25,000/- (Rupees twenty five thousand only) shall be paid to the legal representatives of the deceased.

The special leave petition is, accordingly, disposed of.

Pending application(s), if any, stands disposed of accordingly.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(KAMLESH RAWAT)
COURT MASTER