

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No(s). 440 OF 2019
(SLP(CrI.) No. 6609/2015)

SULEKH MALIK

Appellant(s)

VERSUS

PARVINDER @ MOTI & ANR.

Respondent(s)

WITH
CRIMINAL APPEAL No(s). 441 OF 2019
(SLP(CrI.) No. 6061/2016)

O R D E R

Leave granted.

The respondent was convicted under Section 302, IPC and sentenced to life imprisonment. In appeal, the High Court has altered the conviction to one under Section 304 Part II, IPC and sentenced him for 10 years alongwith fine of Rs.5 Lacs, out of which 2 Lacs was to be paid as compensation to the parents of the deceased.

We have heard Mr. Siddharth Luthra, learned senior counsel for the appellant, Mr. Sanjay Jain, learned ASG for the NCT of Delhi and Mr. R.N. Mittal, learned senior counsel for the respondent No.1-Accused at length. We have also been taken through the order of the High Court and the

evidence on record. Suffice to observe that in the entirety of the facts and circumstances of the case, more particularly that in the meantime the respondent has already undergone ten years' sentence awarded to him, we are not inclined to interfere in the matters in exercise of our jurisdiction under Article 136 of the Constitution of India.

But the very same set of facts and circumstances persuade us to enhance the fine to Rs.15,00,000/- (Rupees fifteen lakhs); out of which Rs.13,00,000/- (Rupees thirteen lakhs) shall be paid to the appellant as compensation within a period of six months from today failing which the respondent shall have to undergo two years' further Rigorous Imprisonment.

The appeals are disposed of.

.....J.
(NAVIN SINHA)

.....J.
(M.R. SHAH)

NEW DELHI;
MARCH 06, 2019

ITEM NO.2

COURT NO.15

SECTION II-C

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

Petition(s) for Special Leave to Appeal (CrI.) No(s). 6609/2015

(Arising out of impugned final judgment and order dated 20-04-2015 in CRLA No. 292/2014 passed by the High Court Of Delhi At New Delhi)

SULEKH MALIK

Petitioner(s)

VERSUS

PARVINDER @ MOTI & ANR.

Respondent(s)

WITH

SLP(CrI) No. 6061/2016 (II-C)

FOR EXEMPTION FROM FILING O.T. ON IA 12886/2016

FOR PERMISSION TO FILE SYNOPSIS AND LIST OF DATES ON IA 12887/2016)

Date : 06-03-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE NAVIN SINHA

HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Siddharth Luthra, Sr. Adv.
Mr. Rahul sinha, Adv.
Mr. R. C. Kaushik, AOR

Mr. Sanjay Jain, ASG
Mr. Bimal Ray, Adv.
Dr. Abhishek Atrey, Adv.
Ms. Vidyottma, Adv.
Mr. B. V. Balaram Das, AOR

For Respondent(s) Mr. R.N. Mittal, Sr. Adv.
Mr. Arvind Kumar Gupta, AOR

(NCT) Mr. Sanjay Jain, ASG
Mr. Bimal Ray, Adv.
Dr. Abhishek Atrey, Adv.
Mr. B. V. Balaram Das, AOR

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

Leave granted.

The appeals are disposed of in terms of the signed
order.

Pending application, if any, also stand disposed of.

(NEELAM GULATI)
COURT MASTER (SH)

(SUNIL KUMAR RAJVANSHI)
BRANCH OFFICER

(SIGNED ORDER IS PLACED ON THE FILE)