

ITEM NO.51

COURT NO.8

SECTION IIC

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 184/2017

(Arising out of impugned final judgment and order dated 26/10/2016 in CRLR No. 16/2009 passed by the High Court of Himachal Pradesh at Shimla)

RAM KRISHAN SHARMA

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH

Respondent(s)

(with appln. (s) for permission to file additional documents and interim relief and office report)

Date : 03/03/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Ms. Radhika Gautam, Adv.

For Respondent(s) Mr. Varinder Kumar Sharma, Adv.
Mr. Parul Sharma, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal is partly allowed.

(USHA BHARDWAJ)
AR-CUM-PS

(MALA KUMARI SHARMA)
COURT MASTER

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.456 OF 2017

(Arising out of S.L.P.(Criminal) No.184/2017)

Ram Krishan Sharma .. Appellant(s)
Versus
State of Himachal Pradesh .. Respondent(s)

O R D E R

Leave granted.

We have heard the learned counsel for the parties.

This fact has been established that the appellant was not having any license and therefore, we are of the opinion that he has rightly been convicted by the Trial Court which conviction has been upheld by the High Court also. At the same time, we find that in the facts of this case, the sentence of simple imprisonment for three months with fine of Rs.500/- (Rupees five hundred) needs to be interfered with. We modify the aforesaid sentence by substituting it with fine of Rs.50,000/- (Rupees fifty thousands) and no imprisonment.

The appeal is partly allowed in the aforesaid terms.

.....J.
[A.K. SIKRI]

.....J.
[ASHOK BHUSHAN]

NEW DELHI,
MARCH 03, 2017.

