

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 1237 OF 2018
[@ SPECIAL LEAVE PETITION (CRL.) NO. 3172 OF 2018]

OMPRAKASH @ MANTA

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The appellant is aggrieved since the High Court declined to suspend the sentence during the pendency of the criminal appeal pending before the High Court. It is not in dispute that the sentence has been suspended in the case of Accused Nos. 2, 3 and 4, who have been convicted and sentenced along with the appellant herein.

3. Having heard the learned counsel appearing for the appellant and the learned counsel appearing for the State and having gone through the available pleadings before us, we are of the view that the sentence needs to be suspended in the case of the appellant herein also on the ground of parity.

4. Accordingly, this appeal is disposed of as follows :-

(i) The appellant shall be released on bail subject to depositing the entire fine amount and on furnishing a personal bond to the tune of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties of the like amount to the satisfaction of the Chief Judicial Magistrate, Katni.

(ii) The appellant shall also appear before the Registry of the High Court on the last working day of every month.

.....J.
[KURIAN JOSEPH]

.....J.
[SANJAY KISHAN KAUL]

.....J.
[NAVIN SINHA]

New Delhi;
October 01, 2018.