

**IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION**

REVIEW PETITION (CRIMINAL) NO. OF 2026
(Diary No. 45337/2025)

ABDUL SATTAR

... PETITIONER

VERSUS

**THE STATE OF KARNATAKA
DEPARTMENT OF HOME & ANR.**

... RESPONDENTS

ORDER

REVIEW PETITION (CRL.) NO. 66 /2026 (DIARY NO. 45337/2025)

1. Delay condoned.
2. Seeking review of the judgment convicting the appellant for the charge under Sections 279, 337, 338 and 304(A) of the Indian Penal Code, 1860.
3. The special leave petition was filed which was dismissed vide order dated 11.03.2024. However, on a submission made by the review petitioner for payment of amount of compensation to the family of the deceased, notice on the review petition was issued. The review

petition is allowed and the special leave petition is restored to file in its original number.

CRIMINAL APPEAL No. /2026 ARISING OUT OF SLP (CRL) NO.
3369 OF 2024

4. Leave granted.

5. Arising out of an order dated 05.10.2023 passed by the High Court whereby affirming the conviction of the appellant while modifying the sentence under Section 304(A) of the Indian Penal Code from six months to three months enhancing the amount of fine from Rs.5,000/- to Rs.10,000/-, this appeal has been filed.

6. We have heard the learned counsel for the parties and considered the fact that a 13 years old boy had died in the accident due to negligence of the appellant. The provision of Section 304(A) does not mandatorily prescribe a sentence. Therefore, in lieu of the sentence required to be served by the appellant, if he makes a payment of fine of Rs.3,00,000/- in toto, the sentence may be commuted and the amount of fine, so deposited

shall be used as compensation to the family of the deceased boy.

7. During hearing, we have virtually heard the mother and father of the deceased who were present in Police Station Devaraja Traffic Police Station, Mysore City, Karnataka along with the Assistant Commissioner of Police of the said police station and one translator. They were in the worst situation and willing to get compensation for their survival.

8. On the other hand, as per the information received through Police by learned Additional Advocate General, appearing for the State, the appellant is a construction material supplier.

9. Considering all the aspects and the equity which goes in favour of the complainant, we exercise our discretion as conferred under Article 142 of the Constitution of India and direct that the sentence of three months as awarded by the High Court shall be commuted subject to deposit of the fine of Rs.3,00,000/- in two installments.

First installment of Rs.2,00,000/- be deposited by the appellant in the account of the father/mother of the deceased boy within one month. The remaining amount of Rs.1,00,000/- be paid on or before 06.04.2026. The details of the account be supplied to the appellant. In case of failure to deposit this amount, the appellant shall serve the sentence as awarded by the High Court.

10. Accordingly, the appeal stands disposed of. Pending applications, if any, shall stand disposed of.

....., J.
[J. K. MAHESHWARI]

....., J.
[PRAKASH B. VARALE]

NEW DELHI;
FEBRUARY 05 2026.

ITEM NO.301

COURT NO.3

SECTION II-E

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

REVIEW PETITION (CRIMINAL) Diary No(s). 45337/2025

[Arising out of impugned final judgment and order dated 11-03-2024 in SLP(Crl) No. No. 3369/2024 passed by the Supreme Court of India]

ABDUL SATTAR

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA DEPARTMENT OF HOME & ANR. Respondent(s)

**(IA No. 195356/2025 - CONDONATION OF DELAY IN FILING IA
 No.195363/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES)**

Date : 05-02-2026 This matter was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI
 HON'BLE MR. JUSTICE PRASANNA B. VARALE**

For Petitioner(s) : Mr. Ganesh Kumar R., AOR

**For Respondent(s) : Mr. Aman Panwar, A.A.G.
 Mr. Naveen Sharma, AOR
 Mrs. Swati Bhushan Sharma, Adv.
 Mr. S.K. Sharma, Adv.
 Mr. Abhinav Kumar, Adv.
 Mr. Manav Kaushik, Adv.
 Ms. Payal Gola, Adv.**

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

REVIEW PETITION (CRL.) NO.66/2026 (DIARY NO. 45337/2025)

1. Delay condoned.

2. The review petition is allowed in terms of the signed order and the special leave petition is restored

to file in its original number. Pending applications, if any, shall stand disposed of.

CRIMINAL APPEAL ARISING OUT OF SLP (CRL) NO. 3369 OF 2024

3. Leave granted.

4. The appeal is disposed of in terms of the signed order. Pending applications, if any, shall also stand disposed of.

(GULSHAN KUMAR ARORA)
DEPUTY REGISTRAR

(NAND KISHOR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)