

SLP(Crl.)No. 546 OF 2003
ITEM No.204

Court No. 9

SECTION II
A/N MATTER

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 (Crl.) No. 546/2003

(From the judgement and order dated 21/05/2002 in CRA 245/93
of The HIGH COURT OF CALCUTTA)

NIL KAMAL GHOSH @ NILU

Petitioner (s)

VERSUS

STATE OF WEST BENGAL

Respondent (s)

(With Appln(s). for c/delay in filing SLP and
exemption from filing c/c of the impugned Judgment)
(For Final Disposal)

Date : 09/10/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s) Mr. A.K. Ganguli, Sr. Adv.
Mr. S.K. Bhattacharya, Adv.(SCLSC)

For Respondent (s)
Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

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

Delay condoned.
Leave granted.
Heard learned counsel for the parties for fifteen minutes.
The appeal is disposed of in terms of the signed order.

(R.K. DHAWAN) (VEERA VERMA)
COURT MASTER COURT MASTER

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2003
(Arising out of SLP(Crl) No.546 of 2003)

Nil Kamal Ghosh @ Nilu.... Appellant,

Versus

State of West Bengal.... Respondent.

O R D E R

Delay condoned.
Leave granted.
Heard learned counsel for the parties.
The appellants were convicted under Section 376 and Section 366 IPC and sentenced to undergo imp

risonsment for life and R.I. for 6 years and a fine of Rs.1000/- in default to suffer R.I. for 5 months.

Having regard to the facts and circumstances of the case we feel that the sentence for a period of 10 years would meet the ends of justice and sentence of life imprisonment is reduced to rigorous imprisonment for a period of ten years. It is submitted that the appellant has already undergone the imprisonment for 10 years. If the appellant has already undergone imprisonment for a period of 10 years, he is directed to be released forthwith if not required in any other case. The appeal is accordingly disposed of.

.....J

(K.G. BALAKRISHNAN)

.....J

(B.N. SRIKRISHNA)

NEW DELHI;

OCTOBER 9, 2003.