

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 514-515 OF 2002

SRI CHAND

Appellant (s)

VERSUS

STATE (GOVT. OF NCT DELHI)

Respondent(s)

(With office report)

Date: 09/06/2009 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
HON'BLE MR. JUSTICE AFTAB ALAM
(VACATION BENCH)For Appellant(s) Mr. M.N. Krishnamani, Sr.Adv.
Ms. Asha Jain Madan, Adv.

For Respondent(s) None

UPON hearing counsel the Court made the following
ORDER

The appellant was convicted under Section 2(ia)(a) and (b) of the Prevention of Food Adulteration Act, 1954. He was sentenced to undergo rigorous imprisonment for 18 months and to pay a fine of Rs.3,000/-. The judgment of the trial court was confirmed by the appellate court vide its judgment dated 17th August, 2001. The appellant, thereafter, preferred Criminal Revision No.473/2001. In the Criminal Revision, the appellant without challenging the orders of the courts below on merits prayed for an order under Section 433

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Cr.P.C. recommending to the Government for consideration of commutation of the remaining period of sentence of imprisonment to that of fine. The High Court, having agreed with the prayer, disposed of the Criminal Revision and referred the matter to the Government of NCT of Delhi for consideration of commutation of the remaining period of sentence of imprisonment of the appellant to fine under Section 433(c) Cr.P.C.

The Lt. Governor of Delhi, having considered the matter, did not agree with the recommendation of the High Court vide his order dated 15th December, 2001. This order remained unchallenged.

It is stated before us that the order dated 15th December, 2001 was not communicated to the appellant and, therefore, the same was not challenged.

We grant liberty to the appellant to challenge that order dated 15th December, 2001, if he is so advised, after obtaining a copy of the said proceedings.

The Appeals are adjourned for four weeks.

(N. ANNAPURNA)
COURT MASTER

(VINOD KULVI)
COURT MASTER