

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).1392/2006

(From the judgement and order dated 06/10/2005 in CRLA No. 282/1995 of The HIGH COURT OF

M.P AT JABALPUR)

BHOLA RAM

Petitioner(s)

VERSUS

STATE OF M.P.

Respondent(s)

(With appln(s) for bail and office report)

[For final disposal]

Date: 07/07/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)

Mr. Sudhir Nandrajog,Adv.

Mr. Virendra Rawat, Adv.

Mr. Alok Singh, Adv.

For Respondent(s)

Mr. C.D. Singh,Adv.

Mr. Dhruvad Kashyap, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal stands disposed of in terms of the signed order.

(J.S. Rawat)

(Rajesh

Dham)

AR-cum-PS

Court M

aster

[Signed order is placed on the file.]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 731 OF 2006
(Arising out of SLP(Crl) No. 1392 of 2006)

Bhola Ram

Appella

nt(s)

Versus

State of M.P.

Respond

ent(s)

O R D E R

Leave granted.

The appellant has been convicted by the trial Court under Section 20

(b)(i) of the NDPS Act and sentenced him to rigorous imprisonment for four

years with a fine of Rs.20,000/-.

On appeal, the High Court by the impugned judgment while upholding the conviction of the appellant, reduced the sentence to two years' rigorous imprisonment and fine to Rs.5,000/-.

The appellant has filed the present appeal by special leave

challenging the impugned order of the High Court. It is stated that the

appellant has already undergone the actual sentence for one and a half year.

Having heard the counsel for the appellant and for the respondent-State and in view of the facts and circumstances of the present case, while maintaining the conviction, we deem it appropriate to reduce the sentence awarded to the appellant to the period already undergone, subject to depositing the amount of fine imposed on the appellant by the High Court, if

not already

deposited. Ordered accordingly.

Subject to the above direction, the appellant be released forthwith if not required in any other case.

The appeal stands disposed of accordingly.

.....J.

.....
(ASHOK BHAN)

New Delhi;

.....J.

July 07, 2006.

.....
(MARKANDEY KATJU)