

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

RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 494 OF 2000

CHANDRAKANT PINAYAMAL MOTWANI

Appellant (s)

VERSUS

STATE OF MAHARASHTRA

Respondent(s)

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

Date: 02/03/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE A.K. MATHUR

For Appellant(s)

Mr. Sanjay V Kharde, Adv.

Ms. Chandan Ramamurthi, Adv.

For Respondent(s)

Mr. S.S. Shinde, Adv.

for Mr. Ravindra Keshavrao Adsure, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

The appeal is allowed in part and while upholding conviction of the appellant, the sentence of imprisonment awarded against him is reduced to the period already undergone and he is directed to pay a fine of Rs. 10,000/- instead of Rs. 1,000/- and in default to undergo further imprisonment for a period of three months. The amount of fine must be deposited within six weeks from today. The appellant, who is on bail, is discharged from the liability of bail bonds.

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[Charanjeet Kaur]

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Court Master

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[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 494 OF 2000

Chandrakant Pinayamal Motwani
pellant(s)

.. Ap

Versus

Stae of Maharashtra

.. Respondent(s)

O R D E R

Heard learned counsel for the parties.

The sole appellant was convicted by the trial Court under
Section 7 of the Essential Commodities Act and sentenced to undergo
simple imprisonment for a period of three months and to pay a fine of
Rs. 1,000/-, in default, to undergo further imprisonment for a period
of ten days. On appeal being preferred, the High Court confirmed the
conviction. Hence, this appeal by special leave.

Learned counsel for the appellant has pressed the appeal on
the question of sentence only. The occurrence is said to have been
taken place in the year 1988. It has been stated that the appellant
has remained in custody for a period of about four days. In the facts
and circumstances of the case, we are of the view that ends of justice

would be met in case the sentence of imprisonment awarded against the appellant is reduced to the

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period already undergone and in view of that he is directed to pay a fine of Rs. 10,000/-.

Accordingly, the appeal is allowed in part and while upholding conviction of the appellant, the sentence of imprisonment awarded against him is reduced to the period already undergone and he is directed to pay a fine of Rs. 10,000/- instead of Rs. 1,000/- and in default to undergo further imprisonment for a period of three months. The amount of fine must be deposited within six weeks from today. The appellant, who is on bail, is discharged from the liability of bail bonds.

.....J

[B.N. AGRAWAL]

.....J

[A.K. MATHUR]

NEW DELHI,
MARCH 02, 2006.