xITEM NO.47 COURT NO.3 SECTION II

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).1324/2006

(From the judgement and order dated 22/04/2004 in CRLRC No. 502/2001 of The HIGH COURT OF JUDICATURE OF A.P. AT HYDERABAD)

GATTU VAMAN RAO Petitioner(s)

VERSUS

STATE OF A.P. Respondent(s)

(With appln(s) for exemption from surrendering and c/delay in filing SLP and stay and permission to file addl. documents and office report)

Date: 05/01/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s) Mr. R. Chandra Sekhar Reddy, Adv.

Mr. Venkateswara Rao Anumolu,Adv.

For Respondent(s)

Mrs.D. Bharathi Reddy,Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Leave granted.

The Appeal is allowed in part.

(Rajesh Dham) (Om Prakash)

Court Master Court Master

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 12 OF 2007

(arising out of Special Leave Petition (Crl.) No(s).1324 of 2006)

GATTU VAMAN RAO Appellant(s)

VERSUS

STATE OF A.P. Respondent(s)

O R D E R

Delay condoned.

Leave granted.

Heard the parties.

The appellant was convicted by the trial court under Section 384 of the Indian Penal Code and sentenced to undergo simple imprisonment for a period of two years which has been confirmed in appeal. When the matter was taken in revision, conviction was confirmed but the sentence of imprisonment has been reduced from two years to six months. Hence, this Appeal by special leave.

The learned counsel appearing on behalf of the appellant stated that the appellant has remained in custody for a period of about five months. 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 period already undergone.

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.

.....J.

(B.N. AGRAWAL)

.....
.....J.

(P.P. NAOLEKAR)

NEW DELHI;

JANUARY 05, 2007.