

ITEM NO.118

COURT NO.7

SECTION IIA

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). 376 OF 2006

ANANDA Appellant (s)

VERSUS

STATE OF MAHARASHTRA Respondent(s)

(With office report)

Date: 14/12/2010

This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI  
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appellant(s)

Mr. Ashok Srivastava, Sr. Adv.  
Mr. Satyajit A. Desai, Adv.  
Ms. Anagha Desai, Av.  
Mr. Prashant Dahat, Adv.  
Mr. Somnath Padhan, Adv.  
Mr. Venkateswara Rao Anumolu, Adv.

For Respondent(s)

Mr. Sushu Karanjkar, Adv.  
Mr. Sanjay V. kharde, Adv.  
Ms. Asha G. Nair, Adv.

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

The appeal is dismissed with the modification  
in the sentence as mentioned in the signed order.

(KALYANI GUPTA)  
SR. P.A.

(VINOD KULVI)  
COURT MASTER

Cr1.A. No. 376 o 2006

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[SIGNED ORDER IS PLACED ON THE FILE.]

Cr1.A. No. 376 o 2006

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CRIMINAL APPEAL NO. 376 OF 2006

ANANDA

.....

APPELLANT

VERSUS

STATE OF MAHARASHTRA

.....

RESPONDENT

O R D E R

1. We have heard learned counsel for the parties.

2. We are of the opinion that no fault can be found with the conviction of the appellant.

The chain of

events clearly show that the appellant who was a Patwari had tried to extort money for effecting a mutation on the basis of a gift deed that had been

presented by the complainant, P.W.1. We, however,

feel that in the light of the fact that the appellant,

as of today, is 72 years of age and the matter has

been pending in one Court or the other since January,

1987, and the prosecution is under the Prevention of

Corruption Act, 1947 under which a discretion is left

to the Court to impose a sentence of less than one

year, we deem it appropriate in the facts of the case,

to reduce the sentence awarded to the appellant under

Section 5(1)(d) read with Section 5(2) of the

Crl.A. No. 376 o 2006

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Prevention of Corruption Act, 1947, Sections 161 and

165 of the Indian Penal Code from one year to three

months; all the substantive sentences to run

concurrently. The appeal is dismissed with the above

modification in the sentence.

.....J  
[HARJIT SINGH BEDI]

.....J  
[CHANDRAMAULI KR. PRASAD]

NEW DELHI,  
DECEMBER 14, 2010.