

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 613 OF 2013

EX. CPL. MAHESH KUMAR

.. Appellant(s)

Versus

UNION OF INDIA & ORS.

.. Respondent(s)

O R D E R

We are not inclined to interfere with the order passed by the Armed Forces Tribunal, Principal Bench, New Delhi awarding a punishment of reduction in rank, dismissal from service and sentencing the appellant to 10 months' rigorous imprisonment.

Having heard learned senior counsel for the Respondents and learned counsel for the appellant, we are of the opinion that in the facts and circumstances of the case, the order of dismissal from service needs to be modified to that of discharge.

The appellant stands discharged. He shall be granted the benefits to which he is entitled to in

accordance with law.

The appeal stands disposed of with the aforesaid direction.

.....J.
(L. NAGESWARA RAO)

.....J.
(HEMANT GUPTA)

New Delhi,
Dated: October 24, 2019

ITEM NO.107

COURT NO.11

SECTION II-C

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

Criminal Appeal No(s). 613/2013

EX. CPL. MAHESH KUMAR

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(AT TOP)

Date : 24-10-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA

For Appellant(s) Chitrangada Rastravara, Adv.
Mr. Nithin P., Adv.
Mr. Gp. Capt. Karan Singh Bhati, AOR

For Respondent(s) Mr. R. Balasubramanian, Sr. Adv.
Mr. Akshay Amritanshu, Adv.
Mr. Rajeev Ranjan, Adv.
Mr. Arvind Kr. Sharma, Adv.
Mr. Mukesh Kumar Maroria, AOR

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

The appeal stands disposed of in terms of the Signed Order.

Pending application(s), if any, also stand disposed of.

(GEETA AHUJA)
COURT MASTER (SH)

(SUNIL KUMAR RAJVANSHI)
BRANCH OFFICER

(The Signed Order is placed on the file)