

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). 1033 OF 2000

STATE OF U.P.

Appellant (s)

VERSUS

UDAL

Respondent(s)

(Office report for direction)

Date: 22/11/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

HON'BLE MR. JUSTICE D.K. JAIN

For Appellant(s)

Mr. Irshad Ahmad, Adv. (N.P.)

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The appeal is disposed of in terms of the signed

order.

(R.K. DHAWAN)

COURT MASTER

(VIJAY AGGARWAL)

COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1033 OF 2000

STATE OF U.P.

.... APPELLANT.

VERSUS

UDAL

.... RESPONDENT.

O R D E R

This appeal is preferred by the State of U.P. challenging the judgment passed in Criminal Appeal No.13 of 1980 on the file of the High Court of Allahabad. The respondents were found guilty and convicted for the offences punishable under Sections 366 and 376 IPC and sentenced

to undergo rigorous imprisonment for three years each. Aggrieved by the quantum of sentence imposed on the respondents, the State has filed this appeal. After filing of the appeal one of the respondents died.

The respondent herein was convicted by the decision of the Sessions Judge on 25.10.1979. The incident happened in the year 1978.

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After the long lapse of period, we do not think that this Court would be justified in enhancing the sentence imposed on this accused.

The appeal is disposed of accordingly.

.....J  
(K.G. BALAKRISHNAN)

.....J  
(LOKESHWAR SINGH)

.....J  
(D.K. JAIN)

NEW DELHI;  
NOVEMBER 22, 2006.