

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO. 678 OF 2001

Budh Sain & Anr.

Appellant(s)

Versus

State, Govt. of N.C.T. of Delhi

Respondent(s)

(with office report)

Date: 29/05/2007 This matter was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE D.K. JAIN
[VACATION BENCH]

For Appellant(s) Mr. H.K. Chaturvedi, Adv.
Mr. K. Venkataraman, Adv.

For Respondent(s) Mr. Nagendra Rai, Sr. Adv.
Mr. M. Yunus Malik, Adv. for
Mr. D.S. Mahra, Adv.

UPON hearing counsel the Court made the following
ORDER

The appeal is allowed in terms of the signed order.
The appellants who are on bail, shall surrender to serve the
remainder of sentence.

(J.S. Rawat)
A.R.-cum-P.S.

(Vijay Aggarwal)
Court Master

[Signed order is placed on the file.]

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 678 OF 2001

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ORDER

Having heard learned counsel for the parties, we are of the
considered view that the appropriate conviction of the appellants
would be under Section 326 I.P.C. read with Section 34 I.P.C. on the
fact situation as projected by the prosecution through the prosecution
evidence. Custodial sentence of three years would meet the ends of
justice.

The appellants who are on bail, shall surrender to serve the
remainder of sentence.

The appeal is allowed to the aforesaid extent.

.....J.
(Dr. ARIJIT PASAYAT)

New Delhi;
May 29, 2007.

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