

Heard learned counsel for the parties.

We are of the opinion that the conviction of the appellant under the Arms Act is fully justified on facts. Therefore, no interference is called for on this score. The learned counsel for the appellant has however submitted that as the appellant was 23 years of age at the time of the commission of the offence and has been awarded a sentence of one year and after his revision had been dismissed by the High Court he was on bail under the orders of this Court dated 3/3/2008, at the S.L.P. stage it would be appropriate in the circumstances to reduce the sentence of the appellant to that already undergone. We see that Sec.25(1B)(b) of the Arms Act, 1959 provides a minimum sentence of six months (on the date when the offence was committed) but the proviso to the section visualises a sentence of less than six months for special reasons. We

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are of the opinion that the special reason in this case are the age of the appellant and the fact that he is a first offender and has not misused the bail granted by this Court more than two years ago. We, thus, reduce the sentence of the appellant to that already undergone, as he has been in jail for about three months.

The Appeal is allowed in the above terms.

.....J.
(HARJIT SINGH BEDI)

.....J.
(C.K. PRASAD)

New Delhi,
July 12, 2010.