

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).1086/2006

(From the judgement and order dated 25/11/2005 in CRLA No.569/2002
of The HIGH COURT OF DELHI AT N. DELHI)

JOGINDER SINGH

Petitioner(s)

VERSUS

STATE OF DELHI (NCT OF DELHI)

Respondent(s)

(With office report for directions)

With S.L.P.(Crl) No. 1350 of 2006

(With office report for directions)

Date: 11/09/2006 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s)

in SLP 1086/2006: Mr. T.N. Singh,Adv.(SCLSC)

in SLP 1350/2006: Mr. S.S. Hora,Adv.

Mr. Chander Shekhar Ashri,Adv.

For Respondent(s)

Mr. B.B. Singh,Adv.

Mrs. Anil Katiyar,Adv.

Ms. Anjani Aiyagari, Adv.

Mr. Rohitash S. Nagar, Adv.

UPON hearing counsel the Court made the following

O R D E R

S.L.P.(Crl.) No.1086 of 2006:

Heard learned counsel for the parties.

Leave granted.

...2/-

- 2 -

The appeal is allowed in-part and while upholding the conviction, sentence of imprisonment awarded against him is reduced to the period already undergone. The appellant, who is on bail, is discharged from the liability of bail bonds.

S.L.P.(Crl.) No.1350 of 2006:

The special leave petition is dismissed in view of the fact that the sole petitioner - Tej Kaur expired on 18th June, 2006.

[Alka Dudeja]

Court Master

[Om Prakash]

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 947 OF 2006

(ARISING OUT OF S.L.P.(CRL.) NO.1086 OF 2006)

Joginder Singh

...Appellant(s)

Versus

State of Delhi

...Respondent(s)

O R D E R

Heard learned counsel for the parties.

Leave granted.

The trial court convicted the appellant under Section

498A of the Indian Penal Code and sentenced to undergo rigorous

imprisonment for a period of one year and to pay fine of Rs.500/-;

in default, to undergo rigorous imprisonment for a period of three

months. On appeal being preferred, the High Court confirmed

the conviction and sentence. Hence, this appeal by special leave.

In this case, notice was issued on the question of

sentence only. Learned counsel stated that the appellant has

remained in custody for more than six months. In the facts and

circumstances of the case, we are of the view that ends of justice

would be met if sentence of imprisonment awarded against the

appellant is reduced to the period already undergone.

....2/-

Accordingly, the appeal is allowed in-part and while upholding the conviction, sentence of imprisonment awarded against him is reduced to the period already undergone. The appellant, who is on bail, is discharged from the liability of bail bonds.

.....J.

[B.N. AGRAWAL]

.....J.

[P.P. NAOLEKAR]

New Delhi,
September 11, 2006.