

SLP(Crl.)No. 1647 OF 2003
ITEM No.203

Court No. 5

SECTION IIA
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Crl.) No. 1647/2003

(From the judgement and order dated 13/12/2002 in CRLA 67/89
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

DHARAMVIR

Petitioner (s)

VERSUS

STATE OF HARYANA

Respondent (s)

(With Appln(s). for bail)
(For Final Disposal)
(With Office Report)

Date : 14/08/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner (s)Mr. Vikas Bharti,Adv.
Ms. Kumud Lata Das,Adv.

For Respondent (s)Mr. D.P. Singh,Adv.
Ms. Avneet Toor,Adv.

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

Leave granted.
The appeal succeeds in terms of the signed order.

(Ganga Thakur) (Prem Prakash)
PS to Registrar Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 984/2003
(Arising out of SLP (CRL) No.1647/03)

Dharamvir .. Appellant(s)

-Versus-

State of Haryana .. Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

At the time of issuance of notice we had issued limited notice for the purpose of considering the quantum of sentence only. After hearing learned counsel, we think in the facts and circumstances of this case, it would be appropriate if the appellant is sentenced to the period already undergone. Accordingly, while maintaining the conviction of the appellant, we modify the sentence of imprisonment imposed upon him. The impugned judgment of the High Court is modified to the extent. However, sentence of fine as also the sentence in default of payment of fine imposed by the High Court is maintained.

With the above modification this appeal succeeds.

.....J.
(N. Santosh Hegde)

.....J.
(B.P. Singh)

New Delhi,
August 14, 2003.