

SLP(Crl.)No. 1980 OF 2004
ITEM No.42

Court No. 2

SECTION II
A/N MATTER

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. 1980/2004

(From the judgement and order dated 31/10/2001 in CRA 635/01
of The HIGH COURT OF DELHI AT N. DELHI)

MUKESH KUMAR @ BILLU

Petitioner (s)

VERSUS

STATE (N.C.T) OF DELHI

Respondent (s)

Date : 27/08/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

HON'BLE MR. JUSTICE PERUVEMBA KRISHNA IYER BALASUBRAMANYAN

For Petitioner (s)

Mr. Ranjan Mukherjee,Adv.

For Respondent (s)Mr. A. Sharan,ASG

Mr. Vikas Sharma,Adv.

Mr. D.S. Mahra,Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted. Appeal is disposed of 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. 960 OF 2004

(Arising out of SLP(Crl.) No.1980/04)

Mukesh Kumar @ Billu

..Appellant(s)

Versus

State (N.C.T) of Delhi

..Respondent(s)

O R D E R

Heard learned counsel for the parties.

Leave granted.

The allegation against the appellant herein is that he along with the other co-accused committed the murder of one Dinesh. This Court, while entertaining the appeal filed by the co-accused Bishan Kumar having considered the facts and circumstances of the case reduced the sentence to seven years rigorous imprisonment. We find the present appellant's case also stands in the same footing. Therefore, we think it appropriate that the sentence awarded by the courts below should be altered and reduced to 7 years rigorous imprisonment. Hence while maintaining the conviction and the sentence and fine awarded by the courts below, we reduce the sentence of imprisonment to 7 years RI.

With the above observation this appeal is disposed of.

(N. SANTOSH HEGDE)

.....J.

(SHIVARAJ V. PATIL)

.....J.

.....J.

(B.N. SRIKRISHNA)

.....J.(P. K. BALASUBRAMANYAN)

New Delhi,
AUGUST 27, 2004.