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SLP(Crl.)No. 1897 OF 2003

REVISED

ITEM No.3

Court No. 3

SECTION II
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. 1897/2003
(From the judgement and order dated 26/07/2001 in SBCRL 529/96
of The HIGH COURT OF RAJASTHAN AT JODHPUR)

MUKESH & ANR.

Petitioner (s)

VERSUS

STATE OF RAJASTHAN

Respondent (s)

(For Final Disposal)

Date : 09/12/2003 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. Doongar Singh, Adv.

Mr. V.J. Francis,Adv.

Mr. A. Radhakrishnan, Adv.

Mr. Jenis, Adv.

For Respondent (s)Mr.Amit Shukla, Adv.

Mr. V.N. Raghupathy,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

Leave granted.

We find no merit in this appeal so far as the conviction imposed on the appellants is concerned. Having heard the learned counsel for the parties on the facts and circumstances of this case we think it appropriate that the sentence awarded by the courts below for the offence punishable under Section 8/21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 should be reduced to 10 years R.I. and the fine is also reduced from rupees 2 lacs to rupees one lac in default of which 6 months' rigorous imprisonment is awarded.

With the above modification in regard to the sentence this appeal is disposed of.

(PAWAN KUMAR)

(VEERA VERMA)

COURT MASTER

COURT MASTER

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1492 OF 2003

(arising out of SLP(CRL.) No.1897 of 2003)

Mukesh & Anr.....Appellants

Versus

State of Rajasthan

.....Respondent

O R D E R

Heard learned counsel for the parties.

Leave granted.

We find no merit in this appeal so far as the conviction imposed on the appellants is concerned. Having heard the learned counsel for the parties on the facts and circumstances of this case we think it appropriate that the sentence awarded by the courts below for the offence punishable under Section 8/21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 should be reduced to 10 years R.I. and the fine is also reduced from rupees 2 lacs to rupees one lac in default of which 6 months' rigorous imprisonment is awarded.

With the above modification in regard to the sentence this appeal is disposed of.

.....J.
(N. SANTOSH HEGDE)

.....J.
(B.P. SINGH)

NEW DELHI,
DECEMBER 9, 2003.