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SLP(Crl.)No. 5274 OF 2003

ITEM No.27

Court No. 9

SECTION IIA  
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. 5274/2003  
(From the judgement and order dated 18/02/2003 in CrlR 787/91  
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

BRAHM DEV

Petitioner (s)

VERSUS

STATE OF PUNJAB

Respondent (s)

( With Appln(s). for bail )  
( With Office Report )

Date : 05/05/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN  
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. B S Jain, Adv.  
Dr.(Mrs.) Vipin Gupta, Adv.

For Respondent (s)Mr. Arun K Sinha,Adv.  
Mr. Rakesh Singh, Adv.

Mr. Bimal Roy Jad,Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed order.

(D.P. WALIA)  
COURT MASTER

(VEERA VERMA)  
COURT MASTER

(Signed Order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.571 OF 2004  
[arising out of SLP(Crl.) No. 5274 of 2003]

Brahm Dev... Appellant.

vs.

State of Punjab... Respondent.

O R D E R

Leave granted.

The appellant was convicted for misappropriating Rs. 35,000/-. The counsel for the appellant submits that the amount is being recovered in installments by the employer and the appellant has already undergone imprisonment for the period of six months. Seeing the facts and circumstances of the case, we confirm the conviction of the appellant, but hold that the imprisonment already undergone by the appellant would be sufficient. The appellant is directed to be released forthwith, if not required in any other case. The appeal is disposed of in the aforesaid terms.

.....J(K.G. BALAKRISHNAN)

.....J  
(B.N. SRIKRISHNA)  
New Delhi;  
May 5, 2004.