

VS.

The State, rep. by PublicRespondent
Prosecutor, High Court of A.P.

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This appeal was admitted only on the question of sentence vide order dated 24th November, 2000. In this view of the matter, we are relieved of the necessity of dealing with prosecution case as such on merits.

The sentence awarded to the appellant for offences under sections 450/376 IPC is 5 years RI besides a fine of Rs. 500/- on each of the two counts and in default of payment of fine one month's simple imprisonment on each of the two counts. In the established facts and circumstances of this case, keeping in view the age of the prosecutrix as well as the age of the appellant, we consider, while

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maintaining his conviction, that ends of justice would be served if the substantive sentence of imprisonment is reduced from five years' RI to three years' RI. We make an order accordingly.

The appeal succeeds to the limited extent, noticed above.

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.....J.
(A. P. MISRA)

.....J.
(SHIVARAJ V. PATIL)

New Delhi
July 26, 2001.