

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 448 OF 2013

RAVINDRA DUBEY

Appellant(s)

VERSUS

STATE OF M.P.

Respondent(s)

O R D E R

The appellant, in this case, has come before this Court challenging the order passed by the High Court upholding the conviction which has been passed by the trial Court.

The entire story of the prosecution as it appears is that the appellant demanded a sum of Rs.1800/- as bribe in the matter for providing requisite electric connection.

It is not necessary for us to give the detailed facts in the matter in question since after scrutinizing the materials placed before us, we accept that the prosecution has already proved the case and there is a sentence concurrently passed by the two courts holding the appellant guilty under Section 7 as well as under Sections 13 (1)(d) and 13(2) of the Prevention of Corruption Act, 1988.

The High Court, while deciding the appeal, duly took note of the fact that the appellant has already lost his job and now is on roads. Therefore, the High Court reduced the sentence to one year RI for the offence under Section 7 and for the offence under

Sections 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988 along with the fine with default terms as imposed by the trial Court. The sentences were directed to run concurrently.

We have duly considered the facts and it appears that the appellant is carrying the mental agony for a long time i.e since 1999 and for that reason, it is submitted on behalf of the appellant that the Court should act leniently in the matter and reduce the sentence from one year RI for the offence under Section 7 to fine only and the period already served by him should be reduced to that extent.

Accordingly, considering that aspect of the matter, we uphold the conviction passed by both the Courts and enhance the amount of fine which was awarded by the High Court to the tune of Rs.1,000/- to Rs.2,000/- under Section 7 and the amount of Rs.3,000/- to Rs.5,000/- which was directed to be paid under Section 13(1)(d) and 13(2).

We only record that since the appellant has already served the sentence for a period of about four months, the sentence be reduced the period already undergone.

The appeal is allowed in part as indicated above.

..... J.
(PINAKI CHANDRA GHOSE)

..... J.
(R.K. AGRAWAL)

New Delhi;
December 02, 2014.

ITEM NO.103

COURT NO.12

SECTION IIA

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

Criminal Appeal No(s). 448/2013

RAVINDRA DUBEY

Appellant(s)

VERSUS

STATE OF M.P.

Respondent(s)

(with appln. (s) for bail and office report)

Date : 02/12/2014 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

HON'BLE MR. JUSTICE R.K. AGRAWAL

For Appellant(s) Mr. Subhash Samwatsar, Sr. Adv.
 Mr. Nitin S. Tambwekar, Adv.
 Mr. B.S. Sai, Adv.
 Mr. K. Rajeev, Adv.

For Respondent(s) Mr. C. D. Singh, Adv.
 Ms. Sakshi Mehley, Adv.

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

The appeal is allowed in part in terms of the signed order.

Since the appellant is already on bail, his bail bonds stand discharged.

(R.NATARAJAN)
Court Master

(SNEH LATA SHARMA)
Court Master

(Signed order is placed on the file)