

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 61 Of 2014
(Arising out of SLP(Crl)No. 5998 of 2013)

D. Sudharshan

....Appellant

Versus

The State of A.P. Rep. by DSP
Anti Corruption Bureau

.....Respondent

O R D E R

Leave granted.

This appeal has been preferred against the impugned judgment and order dated 31.12.2012 passed by the High Court of Andhra Pradesh at Hyderabad in Crl.A. No. 1729 of 2005 by which the High Court has affirmed the conviction of the appellant under the provisions of Sections 13(1)(d) and 7 of the Prevention of Corruption Act, 1988 (hereinafter referred to as the 'Act 1988') and had awarded the sentences of two years and one year respectively with certain amount of fine and further direction to undergo simple imprisonment in default of payment of fine.

We have heard Shri Ranjit Kumar, learned senior counsel appearing on behalf of the appellant and Shri D. Mahesh Babu, learned counsel appearing on behalf of State. We do not find any force in the challenge so far as the conviction of the appellant is concerned. However, we are mindful of the facts that the incident occurred in March 1999 and the appellant has not only lost his service but has also faced the agony of protracted trial for such a long time.

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In the facts and circumstances of the case, we reduce the sentence under Section 13(1)(d) of the Act 1988 from two years to one year. However, the sentence under Section 7 of the Act 1988 is kept intact. Both the sentences to run concurrently. With this modification, the appeal stands disposed of.

.....J.
(Dr. B.S. CHAUHAN)

.....J.
(J. CHELAMESWAR)

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(s).5998/2013

(From the judgement and order dated 31/12/2012 in CRLA No.1729/2005, of
The HIGH COURT OF A.P AT HYDERABAD)

D. SUDHARSHAN Petitioner(s)

VERSUS

THE STATE OF A.P.REP.BY DSP ACB Respondent(s)

(With appln(s) for bail)

Date: 10/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Ranjit Kumar, Sr. Adv.
Mr. Mohit D. Ram, Adv.
Ms. Monisha Handa, Adv.

For Respondent(s) Mr. D. Mahesh Babu, Adv.
Ms. Suchita Hrangkhawl, Adv.
Mr. Amjid Maqbool, Adv.
Mr. Amit K. Nain, Adv.
Mr. Aditya Jain, Adv.
Mr. Ramakrishna Rao, Adv.

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

Leave granted.

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

| (DEEPAK MANSUKHANI) | (M.S. NEGI) |
| Court Master | Assistant Registrar |

(The signed order is placed on the file)