

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1119 OF 2013  
(arising out of S.L.P. (Crl.) No. 5348 of 2013)

JAGDISH ... APPELLANT(S)

VERSUS

STATE OF HARYANA ... RESPONDENT(S)

O R D E R

Leave granted.

The appellant is aggrieved by his conviction under Section 7 of the Prevention of Corruption Act, 1988. While holding him guilty, the trial court has inflicted the punishment of rigorous imprisonment for two years and a fine of Rs. 1,000/-. This has been affirmed by the High Court in appeal.

We are of the opinion that the finding of guilt recorded is on proper appreciation of evidence which does not call for our interference.

Mr. Mukul Gupta, learned Senior Counsel appearing on behalf of the appellant, draws our attention to the Disability Certificate of the appellant and submits that he is 100 per cent mentally unfit. Accordingly, he prays that the sentence be reduced. This is not disputed by learned Additional Advocate General representing the respondent-State.

Having heard learned counsel for the parties and taking into account the peculiar facts and circumstances of the case, we are of the considered opinion that the substantive sentence of six months' simple imprisonment would meet the ends of justice.

Needless to state that while in custody, the appellant shall be given proper medical care. The appellant is given liberty to make prayer before the competent authority for premature release from the jail.

Accordingly, we partly allow this appeal and though we maintain the conviction of the appellant and the fine, we reduce the substantive sentence to six months' simple imprisonment.

.....J.  
(CHANDRAMAULI KR. PRASAD)

.....J.  
(KURIAN JOSEPH)

New Delhi; the  
August 5, 2013

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(s).5348/2013

(From the judgement and order dated 29/01/2013 in CRA-S No.800-SB of 2003 of The HIGH COURT OF PUNJAB &amp; HARYANA AT CHANDIGARH)

JAGDISH

Petitioner(s)

VERSUS

STATE OF HARYANA

Respondent(s)

(With appln(s) for c/delay in filing SLP and bail and exemption from filing c/c of the impugned order and office report)

Date: 05/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD  
HON'BLE MR. JUSTICE KURIAN JOSEPHFor Petitioner(s) Mr. Mukul Gupta, Sr. Adv.  
Mr. Rajat Ratyal, Adv.  
Mr. Anjali Chauhan, Adv.  
Mr. Dinkar Kalra, Adv.For Respondent(s) Mr. Manjit Singh, Addl.Adv.Gen.  
Mr. Vikas Sharma, Adv.  
Ms. Vivekta Singh, Adv.  
Mr. Tarjit Singh, Adv.  
Mr. Kamal Mohan Gupta, Adv.UPON hearing counsel the Court made the following  
O R D E R

Delay condoned.

Leave granted.

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

| (S.K. Rakheja)  
| Court Master| |(Indu Satija)  
| | Court Master|  
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(Signed order is placed on the file)