

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 1136 OF 2000

RAVINDER

Appellant (s)

VERSUS

STATE OF M.P.

Respondent(s)

(With office report)

Date: 27/04/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE D.K. JAIN

For Appellant(s)

Mrs. Santosh Singh, Adv.

For Respondent(s)

Mr. N.M. Ghatate, Sr. Adv.

Mr. C.D. Singh, Adv.

Mr. Dhruvad Kashyap, Adv.

Ms. Kiran Suvarna, Adv.

Dr. I.P. Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

Appeal is allowed in part and while upholding conviction of the appellant, sentence of imprisonment awarded against him is reduced to the period already undergone. The appellant, who is on bail, is discharged from the liability of bail bonds.

[Signed order is placed on the file

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1136 OF 2000

Ravinder

.. Appellant(s)

Versus

State of M.P.

.. Respondent(s)

O R D E R

Heard learned counsel for the parties.

The sole appellant was convicted by the trial court under Section 376 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for a period of seven years. On appeal being preferred, the High Court confirmed the conviction. Hence, this appeal by special leave.

Learned counsel for the appellant first tried to persuade us that it is a case for acquittal. Having perused the records, we are of the view that the High Court has not committed any error in upholding conviction of the appellant, as such it is not possible for us to interfere with the same.

Learned counsel for the appellant next submitted that the appellant has remained in custody for a period of more than four

years, as such the sentence of imprisonment awarded

..2/-

against him should be reduced to the period already undergone. In the facts and circumstances of the case, we are of the view that it is a fit case where sentence of imprisonment awarded against the appellant should be reduced to the period already undergone.

Accordingly, appeal is allowed in part and while upholding conviction of the appellant, sentence of imprisonment awarded against him is reduced to the period already undergone. The appellant, who is on bail, is discharged from the liability of bail bonds.

.....J
[B.N. AGRAWAL]

.....J
[D.K. JAIN]

NEW DELHI,
APRIL 27, 2006.