

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. 979 OF 1999

ABHIRAM BACHHA

Appellant (s)

VERSUS

STATE OF ORISSA

Respondent(s)

(With office report)

Date: 27/10/2004 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE Mr. JUSTICE TARUN CHATTERJEE

For Appellant(s)

Mr. Ranjan Mukherjee,Adv.

For Respondent(s)

Mrs. Kirti Renu Mishra,Adv.

UPON hearing counsel the Court made the following

O R D E R

The appeal is allowed in part and conviction of the
 inst the appellant is upheld and the sentence of imprisonment awarded aga
 llant is, thus, reduced to the period already undergone. The appe
 discharged from the liability of bail bonds.

[Charanjeet Kaur]

[Om Prak

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Court Master

Court Ma

ster

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 979 OF 1999

Abhiram Bacha	..	Appellant(s)
	Versus	
State of Orissa	..	Respondent(s)

O R D E R

Heard the parties.

The sole appellant was convicted by trial Court under Section 304, Part-II of the

Indian Penal Code and sentenced to undergo rigorous imprisonment for a period of five years.

On appeal being preferred, the High Court confirmed the conviction. Hence, this appeal by

special leave.

Learned counsel appearing on behalf of the appellant first tried to persuade us to

hold that High Court was not justified in upholding conviction of the appellant. In this regard,

we have been taken through the judgments of the courts below and the evidence. We find that

two Courts have recorded conviction of the appellant after detailed consideration of evidence

and no ground is made out for interference with the order of conviction. Learned counsel next

submitted that the appellant has remained in jail for a period of more than two years. In th

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facts and circumstances of the case, we are of the view that ends of justice would be

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met in case the sentence of imprisonment awarded against the
appellant is reduced to the period already undergone.

Accordingly, the appeal is allowed in part and while upholding convi
ction of the
appellant, we reduce the sentence of imprisonment awarded against the appellant to the period
already undergone. The appellant is, thus, discharged from the liability of bail bonds.

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

.....J [TARUN

CHATTERJEE]

NEW DELHI,

OCTOBER 27,2004.