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Cr1.A.No. 285 OF 1999  
IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPEAL NO. 285 OF 1999

RAKESH KUMAR  
APPELLANT (S)

.....

VERSUS

STATE OF HARYANA  
DENT (S)

.....RESPON

O R D E R

Heard the parties.

The sole appellant was convicted by the trial court under Section 332 of the Indian Penal Code (hereinafter referred to as 'IPC') and sentenced to undergo rigorous imprisonment for a period of two years. On appeal being preferred, the High Court of Punjab and Haryana upheld the conviction but reduced the sentence from two years to one and a half year. Hence, this appeal by special leave.

The learned counsel appearing on behalf of the appellant has pressed this appeal on the question of sentence only. It has been submitted that the occurrence is said to have taken place in the year 1984 and it appears from the impugned judgment that on that date, the appellant was below eighteen years. It has been further submitted that the appellant had remained in custody for a period of about six weeks. In the facts and circumstances of the case, we are of the view that the end of justice would met if the sentence of imprisonment awarded is reduced to the period already undergone.

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

.....J.

( B.N. AGRAWAL )

.....J.

( DR. AR. LAKSHMANAN )

NEW DELHI;  
APRIL 22, 2004

ITEM NO.103

COURT NO.9

SECTION IIA

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.285/1999

RAKESH KUMAR

Appellant (s)

VERSUS

STATE OF HARYANA

Respondent (s)

(With office report )

Date : 22/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL  
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Appellant (s)

Mr. Shekhar Prit Jha, Adv.

For Respondent (s)

Mr. D.P. Singh, Adv.

Mr. Vinay Kumar Garg , Adv.

UPON hearing counsel, the Court made the following

O R D E R

The appeal is allowed in terms of the signed order.

( Satish K. Yadav )  
Court Master Court Master

( Kanwal Singh )

( Signed order is placed on the file )