



CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 8 OF 2001@@  
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arising out of  
SPECIAL LEAVE PETITION (CRL.) NO. 3774 OF 2000@@  
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Mahender Pal Singh @ Harvinder ....Appellant  
Pal Singh

VS.

State (Delhi Administration) ....Respondent

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Despite opportunities granted, the State has not filed any counter.

Leave granted.

Heard learned counsel for the parties and perused the record.

Against the conviction and sentence recorded by the trial court for offences under Section 16(1) read with Section 7 of the Prevention of Food Adulteration Act the appellant filed an appeal before the learned Additional Sessions Judge, who vide judgment dated 18th September, 2000 upheld the conviction but reduced the sentence to six months RI and fine of Rs. 1000/- and in default of payment of fine RI for two months. Revision petition, filed by the appellant, was dismissed by the High Court on 22nd September, 2000.

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In the peculiar facts and circumstances of this case we consider it appropriate, while not interfering with the conviction recorded by the courts below, to reduce the sentence of imprisonment of the appellant to the period already undergone by him. The sentence of fine and sentence in default of payment of fine, however, is maintained.

The appellant shall be released from custody, if not required in any other case, forthwith.

The appeal, therefore, succeeds to the extent noted above.

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.....J.  
(R. C. LAHOTI)

.....J.  
(BRIJESH KUMAR)

New Delhi  
January 3, 2001.