

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).2354/2006

(From the judgement and order dated 02/02/2005 in CRLA No. 456/1995 of The
HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

RAMESH Petitioner(s)

VERSUS

STATE OF HARYANA & ANR. Respondent(s)

(With appln(s) for bail and office report)

Date: 04/12/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s) Mr. V.J. Francis, Adv.
Mr. Balraj S. Malik, Adv.
Mr. Anupam Mishra, Adv.
Ms. Ritu Bhardwaj, Adv.

For Respondent(s) Mr. Anil Karnwal, Adv.
Mr. S.K. Pillahia, Adv.
Dr. Sushil Balwada, Adv.
Dr. K.P.S Dalal, Adv.
Mr. Arun Kr. Singh, Adv.

Mr. Rajeev Gaur "NASEEM", Adv.

Mr. Madhukar Choudhry, Adv.

Mr. T.V. George, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard the parties.

Leave granted.

The Appeal is allowed in part in terms of the signed order. The appellant, who is on bail, is discharged from the liability of bail bonds.

(Rajesh Dham)

Court Master

(Om Prakash)

Court Master

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1267 OF 2006

(arising out of Special Leave Petition (CrI) No(s).2354/2006)

RAMESH
llant (s)

Appe

VERSUS

STATE OF HARYANA & ANR.
s)

Respondent (

O R D E R

Heard the parties.

Leave granted.

The trial court convicted the appellant under Section 376 of the Indian

Penal Code and sentenced him 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.

At the time of issuing notice rule was issued limited to the question of

sentence only.

Perused the petition filed on behalf of the prosecutrix. It has been

stated that the appellant has remained in custody for a period of about 19

months. In the facts and circumstances of the case, we are of the view that

ends of justice would be 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

conviction of the appellant, the 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.

(P.P. NAOLEKAR)

NEW DELHI;

DECEMBER 04, 2006.