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Crl.A.No. 28 OF 1999
ITEM No.111

Court No. 5

SECTION II-A

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

CRIMINAL APPEAL NO.28 OF 1999

Manmohan Singh Appellant(s)

VERSUS

Union Territory of Chandigarh
(With office report)

Respondent(s)

Date : 20/04/2004 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Appellant (s)Mr. U.R. Lalit, Sr.Adv.
Mr. K.L. Taneja,Adv.

For Respondent (s)Ms. Kamini Jaiswal,Adv.

UPON hearing counsel the Court made the following
O R D E R

The appeal is allowed to the extent indicated in the signed order.

(Neena Verma) (Vijay Aggarwal)
Court Master Court Master
Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.28 OF 1999

Manmohan Singh
...Appellant

Versus

Union Territory of Chandigarh
...Respondent

O R D E R

Heard the learned counsel appearing on either side.
Learned counsel appearing on either side invited our attention to the relevant portions of the judgment in support of their respective stand. We are of the view that the conviction of the appellant under Section 379 IPC is well merited and does not call for any interference. Mr. U.R. Lalit, the learned senior counsel for the appellant strenuously contended that keeping in view the fact that the appellant had undergone one month's sentence and paid the fine, as also suffered two years' debar in the right to appear in the examinations, a lenient view may be taken by extending the benefit of Probation of Offenders Act, 1958 in his favour. Learne

d counsel for the respondent seriously opposes such claim. However, keeping in view the peculiar circumstances of the case and the sufferings already undergone by the appellant, we consider it appropriate and the interest of justice would be better served by reducing the sentence to the period already undergone by the appellant.

The appeal is allowed to the extent indicated above.

The appellant is on bail. His bail bonds shall stand discharged.

.....J.

(DORAISWAMY RAJU)

.....J.

(ARIJIT PASAYAT)

New Delhi,
April 20, 2004.