

<

SLP(Crl.)No. 4488 OF 2003
ITEM No.44

Court No. 4

SECTION IIA
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Crl.) No. 4488/2003

(From the judgement and order dated 11/09/2003 in CRLA 130/86
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

KHARWA HIRALAL @ IKU GAGAN

Petitioner (s)

VERSUS

STATE OF GUJARAT

Respondent (s)

(With Appln(s). for stay & permission to place addl. documents on record)
(With Office Report)

Date : 29/03/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mr. Sushil Kumar, Sr.Adv.
Mr. PH. Parekh, Adv.
Mr. Sameer Parekh, Adv.
Mr. Lalit Chauhan, Adv.
Ms. Ranjeeta Rohatgi, Adv. for
M/s PH. Parekh & Co.,Advs.

For Respondent (s)

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

Limited notice restricted to the question of sentence has been issued to the respondent. The petitioner has been convicted under various provisions. The maximum sentence that has been awarded is for a period of three years besides fine. The sentences have been directed to run concurrently. Having regard to the fact that the incident relates to the year 1984, as also to the facts and circumstances of the case, we are of the view that the imprisonment deserves to be reduced to the period already undergone. It may be noted that the petitioner has already undergone about 16 months rigorous imprisonment. The sentence of fine is, however, maintained. The petition is disposed of on the above terms.

(S. Thapar)
PS to Registrar

(V.P. Tyagi)
Court Master