

ITEM NO.57

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

Petition(s) for Special Leave to Appeal (Crl) No(s).7359/2009

(From the judgement and order dated 18/12/2006 in
524/2000 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

CRLA No.

SAIYED SALIM SAIYED HUSSAIN SAIYED

Petitioner(s)

VERSUS

STATE OF GUJARAT Respondent(s)
(With appln(s) for exemption from filing O.T. and office report)

Date: 04/12/2009

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s)

Mr. Sandeep Narain, Adv.(SCLSC)
Ms. Arti Tiwari, Adv.

For Respondent(s)

Mr. Yashank Adhyaru, Sr. Adv.
Ms. Hemantika Wahi, Adv.
Mr. Somnath Padhan, Adv.

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

Application seeking exemption from filing official
translation is allowed.

Leave granted.

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

(KALYANI GUPTA)
SR. P.A.

(VINOD KULVI)
COURT MASTER

CRL.A. No..2325of 2009 @ SLP(CRL.) No. 7359 of 2009

[SIGNED ORDER IS PLACED ON THE FILE.]

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 2325 OF 2009
[arising out of SLP(CRL.) No. 7359 of 2009]

SAIYED SALIM SAIYED HUSSAIN SAIYED

.....

APPELLANT

VERSUS

STATE OF GUJARAT

.....

RESPONDENT

O R D E R

1. Application seeking exemption from filing official translation is allowed.

2. Leave granted.

3. The appellant stands convicted for offences punishable under Section 8C read with Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, for being in possession of 252 grams of charas. The trial court on a consideration of the

evidence convicted and sentenced the appellant to

undergo 10 years rigorous imprisonment and Rs. 1 lakh

CRL.A. No..2325of 2009 @ SLP(CRL.) No. 7359 of 2009

3

as fine and in default of payment of fine to undergo a

further period of one year's imprisonment. The High

Court has confirmed the conviction and sentence.

4. In this matter, we notice that the appellant has

already undergone almost 9 ½ years of the sentence.

We

also notice that he is being represented by a counsel appointed by the Supreme Court Legal Services Committee and is apparently unable to pay the fine of Rs. 1 lakh.

5. The learned counsel for the State of Gujarat has put in appearance and we have heard the learned counsel for the parties.

6. Keeping in view the facts aforesaid, we direct that the fine imposed on the appellant be reduced to

Rs. 1,000/- and in default of payment of fine the

appellant shall undergo imprisonment for a further period of one month.

7. The appeal is allowed to the above extent.

.....J
[HARJIT SINGH BEDI]

.....J
[J.M. PANCHAL]

NEW DELHI
DECEMBER 04, 2009.

CRL.A. No..2325of 2009 @ SLP(CRL.) No. 7359 of 2009

4

CRL.A. No..2325of 2009 @ SLP(CRL.) No. 7359 of 2009

5