

2. The accused- appellants have been convicted by the trial court vide its judgment and order dated 3.12.2003 for the offences punishable under Sections 323/383/34 IPC and sentenced them to undergo rigorous imprisonment for three months each and to pay a fine of Rs. 100/- each, in default of payment of fine, to undergo 10 days simple imprisonment under Section 323 IPC and to undergo rigorous imprisonment for two years under Section 380 IPC.

3. In appeal, the High Court reduced the sentence of the appellants to rigorous imprisonment for nine months each with fine of Rs. 100/- each.

4. Heard learned counsel for the parties.

5. Learned counsel for the appellants makes a statement that the accused-appellants have already undergone sentence of 5 ½ months. This statement is not controverted by the learned counsel for the respondent.

6. Considering the overall circumstances of this case, while maintaining the conviction, we reduce the sentence of the appellants to the period already undergone by them. The sentence of fine shall remain unaltered. The appellants are on bail. Their bail bonds are discharged.

7. The appeal stands disposed of accordingly.

.....J.
(V.S.SIRPURKAR)

.....J.
(T.S.THAKUR)

New Delhi,
August, 05, 2011.