

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1765 OF 2010  
(Arising out of SLP(Crl.)No.9930 of 2009)

BASO PANDEY ... APPELLANT(S)

VERSUS

STATE OF JHARKHAND ... RESPONDENT(S)

WITH CRL.A.NO.1766 OF 2010 @ SLP(CRL.)No.5844/2009

O R D E R

Leave granted.

1. We have heard learned counsel for the parties and perused the records.

2. These appeals are directed against the judgment of the Jharkhand High Court at Ranchi delivered in Criminal Appeal No.41/2002. The appellants in both the matters have been convicted under Section 307 of the Indian Penal Code and have been sentenced to seven years of imprisonment. We are told that the appellant-Baso Pandey in Crl.A.@SLP(Crl.)no.9930/2009 is more than 80 years of age and the appellant-Janardhan Pandey in Crl.A.@ SLP(Crl.)no.5844/2009 is also about 60 years of age. Both the appellants have undergone more than two years of actual imprisonment.

3. On consideration of the totality of the facts and circumstances of these cases, the interest of justice would be met,

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while maintaining the conviction of the appellants they are released on the sentence already undergone.

With these observations, these appeals are disposed of.

.....J.  
(DALVEER BHANDARI)

.....J.  
(DEEPAK VERMA)

NEW DELHI;  
13TH SEPTEMBER, 2010

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(s).9933/2009  
(From the judgement and order dated 13/05/2009 in                      CRLA No.  
41/2002 of The HIGH COURT OF JHARKHAND AT RANCHI)

PARMESHAR MODI

Petitioner(s)

VERSUS

STATE OF JHARKHAND

Respondent(s)

SLP(Crl) NO. 9930 of 2009

(With appln(s) for bail,suspension of sentence and office  
report )

WITH SLP(Crl) NO. 5844 of 2009

(With appln(s) for exemption from filing O.T. and  
bail,permission to file addl.documents)  
(for final disposal)

Date: 13/09/2010                      These Petitions were called on for hearing  
today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI

HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s)

Mr.Anurag Kumar, Adv.

Ms.Sudama Ojha, Adv.

Dr. Maya Rao,Adv.

Ms.Garima Kapoor, Adv.

For Mr. Ejaz Maqbool,Adv.

For Respondent(s)

Mr. Ratan Kumar Choudhuri,Adv.

Mr. Gopal Prasad,Adv.

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

SLP(Crl.)No.9933/2009:

Learned counsel for the petitioner wishes to withdraw  
this petition. The Special Leave Petition is, accordingly,  
dismissed as withdrawn.

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Crl.A.@SLP(Crl.)No.9930/2009 &amp; Crl.A.@SLP(Crl.)No.5844/2009:

Leave granted.

Heard learned counsel for the parties.

The Criminal Appeals are disposed of, in terms of the  
signed order.

(G.V.Ramana)  
Court Master

(Neeru Bala Vij)  
Court Master

(signed order is placed on the file)