

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).7 3 5 6 / 2 0 0 7

(From the judgement and order dated 2 3 / 0 8 / 2 0 0 7 in Crl.A.No. 2 8 8 / 2 0 0 0 of The HIGH COURT OF H.P. AT SHIM L A)

K U L D I P S I N G H

Petitioner(s)

V E R S U S

S T A T E O F H . P .

Respondent(s)

[With appln(s) for bail, exemption from filing O.T., ex-P a r t e stay and office report]

Date: 2 9 / 0 2 / 2 0 0 8 This Petition was called on for hearing today.

C O R A M :

H O N ' B L E M R . J U S T I C E A S H O K B H A N

H O N ' B L E M R . J U S T I C E D A L V E E R B H A N D A R I

For Petitioner(s) Mr. R. Sundar a v a r d h a n, Sr. Adv.
Mr. T.V. Ratna m, Adv.

For Respondent(s) Mr. Naresh K. Shar m a , Adv.

U P O N hearing counsel the Court made the following
O R D E R

The petitioner was charged for the offence punishable under Sections 3 5 4 , 3 4 1 , 3 2 3 and 5 0 6 , I P C . The Trial Court, by its judgment dated 3 0 t h

October 1 9 9 9 , acquitted the petitioner.

On an appeal filed by the State, the High Court, by the impugned order, convicted the petitioner under Section 3 5 4 , I P C and sentenced the petitioner to undergo rigorous imprisonment for a period of one year and also imposed a fine of Rs. 5 0 0 / - , in default whereof to undergo simple imprisonment for a further period of one month. It is stated that t

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petitioner has already undergone more than four months of actual imprisonment.

S.L. P .(Crl.)No. 7 3 5 6 / 0 7 (Contd.)

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In the facts and circumstances of the case, while maintaining the conviction and the imposition of fine, we reduce the sentence to the period already undergone. The petitioner be released forthwith.

It is made clear that if the fine has not been paid, the petitioner shall pay the same within four weeks from today. However, if the fine is not paid within the time granted, it will be open to the respondent to file appropriate application for appropriate directions.

The Special Leave Petition is disposed of accordingly.

Court Master

Court Master