

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 691-692/2010

SURESH ETC.

APPELLANT(S)

VERSUS

STATE BY INSPECTOR OF POLICE

RESPONDENT(S)

O R D E R

1. Learned counsel appearing for the appellants does not press the appeals on merits. He, however, submits that the appellants have already served a sentence of more than seven years, prior to 05.04.2010, the date on which they were granted bail by this Court.

2. He submits that the minimum sentence for the offences punishable under Section 397 read with Section 395 of the IPC is seven years. Insofar as other offences are concerned, the sentence provided is less than that.

3. Dr. Joseph Aristotle S., learned counsel appearing on behalf of the respondent vehemently opposes the appeal.

4. Though, he submits that, taking into consideration the allegations proved against the appellants, the learned Trial Judge has rightly sentenced them to suffer rigorous imprisonment for nine years, he, however, fairly conceded that there are no other criminal antecedents against the appellants herein. He also fairly submits that it is also not found that after being released on bail they have misused the liberty.

5. In that view of the matter, we find that, while upholding the conviction, the sentence awarded deserves to be reduced to seven years. Ordered accordingly.

6. The appeals are partly allowed, in the aforesaid terms.

7. Since, the appellants have already served the sentence of more than seven years, their bail bonds shall stand

discharged.

8. Pending application(s), if any, shall stand disposed of.

.....J
(B.R. GAVAI)

.....J
(VIKRAM NATH)

.....J
(SANJAY KAROL)

NEW DELHI;
FEBRUARY 16, 2023

ITEM NO.106

COURT NO.8

SECTION II-C

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

CRIMINAL APPEAL NO(S). 691-692/2010

SURESH ETC.

APPELLANT(S)

VERSUS

STATE BY INSPECTOR OF POLICE

RESPONDENT(S)

Date : 16-02-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANJAY KAROL

For Appellant(s) Mr. Harinder Mohan Singh, AOR
Ms. Shabana, Adv.

For Respondent(s) Dr. Joseph Aristotle S., AOR
Mr. Shobhit Dwivedi, Adv.
Ms. Vaidehi Rastogi, Adv.

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

1. The appeals are partly allowed, in terms of the signed order.
2. Since, the appellants have already served the sentence of more than seven years, their bail bonds shall stand discharged.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)

(Signed order is placed on the file)