

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.2310 OF 2009
(Arising out of S.L.P. (Cr1.) No.6848 of 2009)

Jagat Singh & Anr.

...Appellant(s)

Versus

State of Uttarakhand

...Respondent(s)

O R D E R

Leave granted.

This appeal is directed against the judgement dated 17th February, 2009, passed by the High Court of Uttarakhand at Nainital in Criminal Appeal No.781 of 2001. The appellants have been convicted under Section 306/34 and Section 498A/34 of the Indian Penal Code, 1864 [for short, "I.P.C."]. Under Section 306/34 I.P.C., the appellants have been sentenced to undergo rigorous imprisonment for a period of four years and under Section 498A I.P.C. for rigorous imprisonment for one year.

The appellants are of the age of 75 and 72 years respectively. They are suffering from multiple ailments. In our considered view, looking to the age of the appellants and other facts and circumstances of the case the ends of justice would be met in case the period of sentence of imprisonment under Section 306/34 I.P.C. is reduced from four years to two years but the period of sentence of imprisonment under Section 498A/34 I.P.C. shall remain the same.

....2/-

With this direction, the appeal is partly allowed and disposed of.

It is stated that appellants require urgent medical attention. We are sure that the State would provide proper medical aid to them in jail.

.....J.
[DALVEER BHANDARI]

.....J.
[A.K. PATNAIK]

New Delhi,
December 04, 2009.

