

CASE NO.:
Appeal (crl.) 504 of 2008

PETITIONER:
AKALJIT SINGH

RESPONDENT:
STATE OF H.P.

DATE OF JUDGMENT: 14/03/2008

BENCH:
Ashok Bhan & Dalveer Bhandari

JUDGMENT:
JUDGMENT
O R D E R

CRIMINAL APPEAL NO. 504 OF 2008
[ARISING OUT OF SLP (CRIMINAL) NO.1220 OF 2008]

Leave granted.

The Trial Court acquitted the appellant for the charge punishable under Section 409 of the Indian Penal Code. The High Court by the impugned order reversed the judgment of the Trial Court and convicted the appellant under Section 409 of the Indian Penal Code and sentenced him to undergo six months' imprisonment and a fine of Rs.1,000/-; in default to undergo two months' further imprisonment. The appellant has already undergone four months' imprisonment out of the six months' imprisonment awarded to him.

Keeping in view the facts and circumstances of the case, while maintaining the conviction under Section 409 IPC, we reduce the sentence to the period already undergone by the appellant. The appellant shall be released forthwith subject to payment of fine and if not required in any other case.

The appeal stands disposed of accordingly.