

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1270 OF 2010
(Arising out of SLP(Crl.)No.1701 of 2010)

VINOD KUMAR @ BITTU

... APPELLANT(S)

VERSUS

STATE OF DELHI

... RESPONDENT(S)

O R D E R

We have heard learned counsel for the parties.

Leave granted.

The appellant-Vinod Kumar @ Bittu was convicted by the trial Court and was sentenced to rigorous imprisonment for ten years and to pay fine of Rs.5,000/- and in default of payment of fine to further undergo rigorous imprisonment for the period of two years for the offence under Section 376(2)(g) to further undergo rigorous imprisonment for seven years and to pay fine of Rs.4,000/- under Section 366 IPC and in default of payment of fine to further undergo rigorous imprisonment for a period of eighteen months. The appellant was acquitted under Section 376(2)(g), however, he was convicted under Section 366/34 of the Indian Penal Code and was sentenced to imprisonment for four years.

The incident is of 1983 and at that time the appellant was 17 years of age. Now he is married and having children.

In the facts and circumstances of this case, we deem it appropriate to uphold the conviction but the sentence of imprisonment is reduced from four years to two years and six months.

The Appeal is partly allowed and disposed of.

.....J.
(DALVEER BHANDARI)

.....J.
(DEEPAK VERMA)

NEW DELHI;
16TH JULY, 2010

