

CASE NO.:
Appeal (crl.) 429 of 2008

PETITIONER:
JAALIM SINGH

RESPONDENT:
STATE OF M.P.

DATE OF JUDGMENT: 03/03/2008

BENCH:
A.K.MATHUR & AFTAB ALAM

JUDGMENT:
JUDGMENT

O R D E R

CRIMINAL APPEAL NO. 429 OF 2008
(Arising out of SLP(Crl.)No.6862 of 2007)

We have heard learned counsel for the parties.
Leave granted.

This appeal is directed against the judgment and order dated 25th July, 2007 passed by the High Court of Madhya Pradesh, Jabalpur Bench, Gwalior in Criminal Revision No.762 of 2004 whereby the learned Single Judge partly allowed the Revision Petition and reduced the sentence from three months rigorous imprisonment to 45 days rigorous imprisonment.

The accused appellant was convicted under Section 379 of the Indian Penal Code for the electricity theft and sentenced to undergo three months rigorous imprisonment which was reduced by the High Court to 45 days rigorous imprisonment.

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Having regard to the facts and circumstances of the case, we confirm the conviction. However we think it proper that the sentence of the appellant be reduced to the period already undergone.

Accordingly, we reduce the sentence of the appellant to the period already undergone. The appellant has already been exempted from surrendering. He is not required to surrender. The accused shall not be arrested, if not required in any other case.

The appeal is accordingly, allowed in part.