

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1591 OF 2009
(Arising out of S.L.P. (Cr1.) No.2574 of 2008)

Jaipaldas

...Appellant(s)

Versus

State of M.P.

...Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

The appellant was convicted by the Trial Court under Section 27A (i) and 27A (ii) of the Drugs and Cosmetics Act, 1940 (for short, 'the Act') and sentenced to undergo rigorous imprisonment for a period of one year under each head. However, direction was given that the sentences will run concurrently. The Trial Court also imposed fine of Rs.1000/- for offence under Section 27A (i), Rs.5000/- for offence under Section 27A (ii) and Rs.500/- for offence punishable under Section 28 of the Act. The appeal preferred by the appellant was dismissed by Addl. Sessions Judge-VI, Indore. In the revision filed by him, the High Court upheld the conviction but reduced the sentence of imprisonment from one year to six months.

...2/-

On 4.4.2008, this Court issued notice only on the question of sentence.

Having heard the learned counsel for the parties and perused the records, we are of the view that ends of justice would be met if the period of sentence of imprisonment awarded against the appellant is reduced to the period already undergone by him as it has been stated that he has remained in custody for a period of about twenty days.

Accordingly, the appeal is allowed in-part and, while upholding the conviction of the appellant, sentence of imprisonment awarded against him is reduced to the period already undergone by him.

The appellant, who is on bail, is discharged from the liability of bail bonds.

.....J.
[B.N. AGRAWAL]

.....J.
[G.S. SINGHVI]

New Delhi,
August 24, 2009.

JUDGMENT