

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 2325 OF 2009
[arising out of SLP(CRL.) No. 7359 of 2009]

SAIYED SALIM SAIYED HUSSAIN SAIYED

.....

APPELLANT

VERSUS

STATE OF GUJARAT

.....

RESPONDENT

O R D E R

1. Application seeking exemption from filing official translation is allowed.
2. Leave granted.
3. The appellant stands convicted for offences punishable under Section 8C read with Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, for being in possession of 252 grams of charas. The trial court on a consideration of the evidence convicted and sentenced the appellant to undergo 10 years rigorous imprisonment and Rs. 1 lakh as fine and in default of payment of fine to undergo a

further period of one year's imprisonment. The High Court has confirmed the conviction and sentence.

4. In this matter, we notice that the appellant has already undergone almost 9 ½ years of the sentence. We also notice that he is being represented by a counsel appointed by the Supreme Court Legal Services Committee and is apparently unable to pay the fine of Rs. 1 lakh.

5. The learned counsel for the State of Gujarat has put in appearance and we have heard the learned counsel for the parties.

6. Keeping in view the facts aforesaid, we direct that the fine imposed on the appellant be reduced to Rs. 1,000/- and in default of payment of fine the appellant shall undergo imprisonment for a further period of one month.

7. The appeal is allowed to the above extent.

.....J
[HARJIT SINGH BEDI]

.....J
[J.M. PANCHAL]

NEW DELHI
DECEMBER 04, 2009.

