

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO(S).1796-1797 /2019
(Arising out of Special Leave Petition (Cri.)Nos.10902-10903//2019)
(@ Diary No.24525 of 2019)

TEJVEER SINGH ETC.

....Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

.... Respondent(s)

ORDER

Delay condoned.

Leave granted.

The appellants were convicted under sections 363,366 and 109 IPC and sentenced to undergo rigorous imprisonment of ten years and a fine of Rs.25,000/-. They were also convicted under Section 376 (2)(g) and sentenced to undergo imprisonment for seven years and a fine of Rs.5,000/- was imposed. They were further convicted under Section 366 (A) IPC and sentenced to

undergo rigorous imprisonment for five years and to pay a fine of Rs.5,000/- in default of payment of fine, six months additional imprisonment was ordered under Section 363 IPC. The High Court upheld the conviction of the appellants in the appeals filed by them. The sentence was modified to additional imprisonment of three months each in case of default of payment of fine under Section 363 and 366 (A) and imprisonment of twelve months in default of payment of fine under Section 376 (2)(g) IPC.

In view of the order we propose to pass, it is not necessary to deal with the facts of the case.

On the last date of hearing, we were informed by the learned counsel for the appellants that the appellants have undergone more than ten years of imprisonment. It is clear from the judgment of the High Court that they had undergone nine and a half years of imprisonment as on the date of the judgment dated 27.02.2018.

We directed the counsel for the State to verify the status of the period of imprisonment undergone by the appellants. We are informed by Mr. Anurag Kishore, learned counsel appearing for the State that the appellants have already undergone their sentences. They have not been released due to a misunderstanding about the sentences having to be undergone by the appellants concurrently or consecutively.

We direct the appellants to be released immediately

unless they are required in any other case.

The appeals are disposed of. Pending application, if any stand disposed of.

.....J
(L. NAGESWARA RAO)

.....J
(HEMANT GUPTA)

**NEW DELHI;
29th November, 2019**

