

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No.75 OF 2020
(Arising out of SLP(Criminal) No.7409 of 2019)

KAILA MIYAN

APPELLANT(S)

VERSUS

THE STATE OF JHARKHAND

RESPONDENT(S)

O R D E R

Leave granted.

Application for impleadment is allowed.

The appellant stands convicted under Section 379 of Indian Penal Code and sentenced for two years for having stolen Rs.200/- from the deceased after he had been assaulted by others.

We have heard counsel for the parties at length. The only question relevant for consideration is the quantum of the sentence.

Considering that the occurrence is stated to have taken place on 30.06.1989, the appellant is not stated to

have assaulted the deceased in any manner but appears to have taken advantage of the situation to steal the petty sum of Rs.200/-, we consider it proper while maintaining the conviction of the appellant to alter the sentence from two years to one year.

The appeal is allowed to the extent indicated only.

.....J.
(NAVIN SINHA)

.....J.
(KRISHNA MURARI)

New Delhi;
January 13, 2020

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s).7409/2019

(Arising out of impugned final judgment and order dated 07-05-2019 in CRADB No. 541/1996 passed by the High Court Of Jharkhand At Ranchi)

KAILA MIYAN

Petitioner(s)

VERSUS

THE STATE OF JHARKHAND

Respondent(s)

(IA No.118847/2019 - EXEMPTION FROM FILING O.T.
IA No.153865/2019 - INTERVENTION/IMPLEADMENT)

Date : 13-01-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE NAVIN SINHA
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s)

Mr. Syed Mehdi Imam, AOR
Mr. Tashriq Ahmed, Adv.
Mr. Farzeen Ahmed, Adv.
Mr. Atif Suhrawardy, Adv.
Mr. Mansoor Ali Rizvi, Adv.

For Respondent(s)

Mr. Merusagar Samantaray, AOR

Mr. Kumar Shivam, Adv.
Mr. Nishit Shah, Adv.
Mr. Mayank Sapre, Adv.
Ms. Tulika Mukherjee, AORUPON hearing the counsel the Court made the following
O R D E R

Leave granted.

Application for impleadment is allowed.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, stands disposed of.

(ARJUN BISHT)
COURT MASTER (SH)(DIPTI KHURANA)
COURT MASTER (NSH)

(signed order is placed on the file)