

ITEM NO.44

COURT NO.12

SECTION IIB

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 (Crl.) No(s). 9811/2015

(Arising out of impugned final judgment and order dated 23/09/2015 in CRLA No. 1969/2005 passed by the High Court Of Gujarat At Ahmedabad)

SURESHBHAI ISHWARBHAI SOLANKI

Petitioner(s)

VERSUS

STATE OF GUJARAT

Respondent(s)

(with appln. (s) for exemption from filing c/c of the impugned order and exemption from filing O.T. and interim relief and office report)

Date : 07/04/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Rajiv Kumar, Adv.
Mr. Prabhoo Dayal Tiwari, Adv.
Mr. Chanan Prakash, Adv.
Mr. Sushil Kumar, Adv.
Mr. Satish Pandey, Adv.
Ms. Kusum Chaudhary, Adv.

For Respondent(s) Ms. Hemantika Wahi, Adv.
Ms. Jesal Wahi, Adv.
Ms. Mamta Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed to the extent indicated in the signed order.

The sentence imposed by the High Court is reduced from two years to nine months. Let the appellant surrender forthwith.

(NEELAM GULATI)
COURT MASTER

(TAPAN KR. CHAKRABORTY)
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No(s). 656 OF 2017
(Arising out of SLP(Crl.) No. 9811 of 2015)

SURESHBHAI ISHWARBHAI SOLANKI

Appellant(s)

VERSUS

STATE OF GUJARAT

Respondent(s)

O R D E R

Heard learned counsel for the parties.

Leave granted.

The only question pressed in this appeal is about the sentence. It is stated that the appellant had entered in the post office and slabbed the Post Master.

The trial court recorded acquittal.

The High Court has convicted the appellant for commission of offence under Section 332 of the Indian Penal Code, 1860 (in short 'the IPC') and sentenced him with imprisonment for two years.

In the facts and circumstances of the case and as the incident took place in the year, 1995, 22 years have passed thereafter and after duly considering other circumstances of the case as projected in the judgment and Order dated September 23, 2015 passed by the High Court of Gujarat at Ahmedabad, we deem it appropriate to reduce the sentence imposed by the High Court from two years to nine months. Let the appellant surrender forthwith.

The appeal is allowed to the aforesaid extent.

.....J.
(ARUN MISHRA)

.....J.
(AMITAVA ROY)

NEW DELHI;
APRIL 07, 2017