

ITEM NO.2

COURT NO.4

SECTION IIA

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). 10890/2015
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 24/08/2015
IN CRLA NO. 104/2000 PASSED BY THE HIGH COURT OF BOMBAY AT NAGPUR)

NANDLAL @ NANDU

PETITIONER(S)

VERSUS

STATE OF MAHARASHTRA
(WITH INTERIM RELIEF AND OFFICE REPORT)

RESPONDENT(S)

Date : 16/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Mr. Gaurav Agrawal, Adv.

For Respondent(s)

Mr. Nishant Ramakantrao Katneshwarkar, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed
order.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.104 OF 2017
[Arising out of Special Leave Petition
(Criminal) No.10890/2015]

NANDLAL @ NANDU . . . APPELLANT

VERSUS

STATE OF MAHARASHTRA . . . RESPONDENT

ORDER

1. Leave granted.
2. Limited notice, on the question of sentence, has been issued in the present matter.
3. The accused appellant has been convicted under Section 7 and Section 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act, 1988 (for short "the Act"). He has been sentenced to

undergo rigorous imprisonment for six months for the offence under Section 7 and to suffer rigorous imprisonment for two years for the offence under Section 13(1) (d) read with Section 13(2) of the Act. Both the sentences have been directed to run concurrently.

4. We have considered the matter. The alleged offence is of the year 1995. The amount misappropriated is Rs.200/-. Having regard to the long period of time that has elapsed and the other relevant facts and circumstances of the case we are of the view that the ends of justice would be met if the sentence of rigorous imprisonment for two years for commission of offence under Section 13(1)(d) read with Section 13(2) is reduced to one year and the sentence insofar as offence under Section 7 is concerned is left undisturbed. We order

accordingly. Both the sentences to run concurrently. The accused appellant shall surrender within six weeks from today to serve out the remaining part of the sentence in terms of the present order.

5. The appeal is disposed of in the above terms.

.....,J.
(RANJAN GOGOI)

.....,J.
(ASHOK BHUSHAN)

NEW DELHI
JANUARY 16, 2017