ITEM NO.38 COURT NO.9 SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).1821/2019

(Arising out of impugned final judgment and order dated 29-11-2018 in CRA No.56/1984 passed by the High Court At Calcutta)

AMBUJ DEBNATH Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL Respondent(s)

Date : 04-10-2019 This petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Bijan Kumar Ghosh, AOR

For Respondent(s) Mr. Suhaan Mukerji,Adv.
Ms. Astha Sharma,Adv.
Mr. Abhishek Manchanda,Adv.
Ms. Kajal Dalal,Adv.
Mr. Prastut Dalvi,Adv.
M/S. Plr Chambers And Co., AOR

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

The petitioner was convicted for an offence under Section 148, 324 IPC and sentenced to one year rigorous imprisonment respectively. The High Court affirmed the conviction and sentence. A-2 to A-5 were acquitted by the High Court. The allegation against the petitioner is that he fired at Pradip Nath, Bimal Chandra Nath, Satindra @ Sachindra Nath and Nitish Nath on 03.11.1980.

Signature Not Verified
Digitally signed by BALA PARVATHI
Date: 2019.10.05 12:56:58 IST
Reason:

Notice was issued to consider whether the sentence imposed on the petitioner can be reduced. We are informed by Mr. Bijan Kumar Ghosh, learned counsel that the petitioner is aged 72 years and is suffering from serious illness.

Learned counsel for the State submits that there is no record of his illness which has been produced either before the lower court or this Court.

In the facts and circumstances of the case, we uphold the conviction of the petitioner and reduce the sentence of imprisonment to six months.

The petitioner shall surrender within a period of six weeks to undergo the remaining period of sentence.

The Special Leave Petition is disposed of accordingly. Pending application, if any stand disposed of.

(B.Parvathi)
Court Master

(Sunil Kumar Rajvanshi)
Court Master