

SUPREME COURT OF INDIA

Karsan Hira

Vs.

State of Gujarat

Crl.A.No.395 of 1975

(S. Murtaza Fazl Ali and A. D. Koshal, JJ.)

16.02.1979

JUDGEMENT

S. M. FAZAL ALI, J.:-

1. In this appeal by special leave, the appellant has been convicted under S. 5 (1) (d) read with Section 5 (2) of the Prevention of Corruption Act and has been sentenced to R. I. for one year and a fine of Rupees 500/- in default for three months. He has also been convicted under S. 161, I. P. C. but no separate sentence has been awarded. We have heard learned counsel for the parties and have gone through the judgment of the High Court and we do not find any error of law. Mr. Nambiar tried to argue that there are improbabilities in the case of the prosecution but the courts below accepted the case of the prosecution which is based on the evidence of P. Ws. 2 and 3. The money was recovered from the person of the appellant. In these circumstances, we do not find any merit in this appeal and it is, accordingly, dismissed.

Appeal dismissed.

