

Shahzade

Vs

State of Uttar Pradesh

Criminal appeal No. 73 of 1981

(Syed M. Fazal Ali, A. Varadarajan JJ)

28.01.1981

JUDGMENT

1. In this appeal, special leave granted was confined to the question of sentence only.
2. Having heard the learned counsel for the parties and having gone through the judgments of the courts below, we find that in the peculiar circumstances of this case and having regard to the very old age of the appellant Shahzade, who is more than 77 years of age, there is some room for reduction the sentence. We, therefore, reduce the sentence of the appellant under Section 452 from four years to six months rigorous imprisonment and make it concurrent with the sentence awarded under Section 323 read with Section 34, IPC.
3. With this modification in the sentence, the appeal is dismissed.

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