

Krishna

Vs

State of Uttar Pradesh

Criminal Appeal No. 486 of 1981

(Syed M. Fazal Ali, R.B. Misra JJ)

01.05.1981

JUDGMENT

1. Heard learned counsel for the parties.
2. From the findings of the High Court and the trial Court, we are satisfied that there is absolutely no evidence to prove the charges which relate to the violation of paragraphs 6, 8 and 10 of the Essential Commodities (Price Display and Control of Supply and Distribution) Order, 1971. As regards paragraph 4 of the Order, doubtless there is a technical non-compliance, but since the provision was amended a year after the commission of the offence, the policy of the law seems to be that the price list should be exhibited only during business hours which was made clear by the amendment made after the commission of the offence. In these circumstances, therefore, the appellant can be said to have only committed a technical offence.
3. We therefore allow the appeal and reduce the sentence of the appellant to the period already served. The appeal is disposed of accordingly.

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