

SUPREME COURT OF INDIA

Akaljit Singh

Vs.

State of H.P.

Crl.A.No.504 of 2008

(Ashok Bhan and Dalveer Bhandari,JJ.)

14.03.2008

ORDER

[Arising Out of SLP (Crl.) No.1220 of 2008]

1. Leave granted.
2. The Trial Court acquitted the appellant for the charge punishable under Section 409 of the Indian Penal Code. The High Court by the impugned order reversed the judgment of the Trial Court and convicted the appellant under Section 409 of the Indian Penal Code and sentenced him to undergo six months' imprisonment and a fine of Rs.1,000/-; in default to undergo two months' further imprisonment. The appellant has already undergone four months' imprisonment out of the six months' imprisonment awarded to him. Keeping in view the facts and circumstances of the case, while maintaining the conviction under Section 409 IPC, we reduce the sentence to the period already undergone by the appellant. The appellant shall be released forthwith subject to payment of fine and if not required in any other case.
3. The appeal stands disposed of accordingly.