

SUPREME COURT OF INDIA

Nasir

Vs.

State of Uttar Pradesh

Crl.A.No.292 of 2001

(B.N.Agrawal and G.S. Singhvi JJ.)

14.07.2009

ORDER

1. Heard learned counsel for the parties.
2. The sole appellant was convicted under Section 399 read with Section 402 of the *Indian Penal Code, 1894*, and sentenced to undergo rigorous imprisonment for a period of five years. He was further convicted under Section 25(1)(a) of the Arms Act and sentenced to undergo rigorous imprisonment for a period of one year.
3. Learned counsel appearing on behalf of the appellant submitted that the sentence of imprisonment awarded against his client may be reduced to the period already undergone because the occurrence had taken place twenty nine years ago and he has remained in custody for a period of more than six months.
4. In the facts and circumstances of the case, we are of the view that the prayer is reasonable and deserves to be granted. Accordingly, the appeal is allowed in-part and, while upholding the conviction of the appellant, sentence of imprisonment awarded against him is reduced to the period already undergone by him.
5. The appellant, who is on bail, is discharged from the liability of bail bonds.