

SUPREME COURT OF INDIA

Nanhaku Ram

Vs.

State of Jharkhand

Crl.A.No.1127 of 2015

(Kurian Joseph and Arun Mishra,JJ.,)

28.08.2015

JUDGMENT

S.L.P.(Crl)No.9363/2014

1. Leave granted.
2. The conviction and sentence, as confirmed by the High Court of Ranchi in Criminal Appeal mNo. 426 of 2001, is under challenge. The appellant was convicted under Sections 7 and 13(1)(d) read with Section 2 of The Prevention of Corruption Act, 1988. He was sentenced to undergo rigorous imprisonment for three years under Section 13(2) and for two years under Section 7 of The Prevention and Corruption Act, 1988 with fine. When the matter came up for hearing on 30.03.2015, Notice was issued, limiting the scope to the quantum of sentence.
3. Having regard to the fact that the incident is of the year 1992, the appellant is aged about 65 years and that he is suffering 2-from very serious ailments, we are of the view that the interest of justice would be served if the punishment is limited to the mandatory minimum, i.e., one year under Section 13(2) and six months under Section 7, as they stood at the relevant time. No change in fine. Ordered accordingly.
4. The sentences shall run concurrently. The period already undergone shall be duly set off.
5. The appeal is allowed as above.