

R-6  
% 28.11.2006

Present : Mr. Amit Bhanot, counsel for the appellant.  
Mr. V.K. Malik, counsel for the respondent.

+Crl.A.469/2001

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The appellant was sentenced to undergo imprisonment for ten years each for the offences u/s 394, 392 read with section 394 IPC and to pay a fine of Rs.200/- for the offence u/s 394 IPC failing which he was to further undergo rigorous imprisonment for 20 days. He was also sentenced to undergo RI for a period of 7 years and to pay a fine of Rs.100/- in default 15 days RI u/s 392 IPC. It was further ordered that all the sentences would run concurrently.

Learned counsel for the appellant does not pick up a conflict with the merits of this case. He has pointed out that the appellant has already suffered enough imprisonment. The nominal roll sent by the Jail Superintendent goes to show that appellant has already undergone sentence up to the period of 7 years 7 months and 16 days. He has earned remission for 1 year 9 months and 7 days and the unexpired portion of sentence was 6 months and 7 days on 22.11.2006. Learned counsel for the appellant states that the minimum period for the

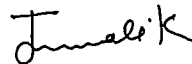
above said offence is 7 years. He has also pointed out that

caused is a young boy. I am of the view that the sentence

already undergone by the appellant is sufficient to meet the ends of justice, I direct that appellant to pay a fine of Rs.100/-, each for abovesaid offences failing which he shall further undergo total simple imprisonment for one week.

Copy of this order be sent to Jail Superintendent with the direction to set the appellant at liberty forthwith, if the fine is deposited immediately, or on 5<sup>th</sup> December, 2006, if the fine is not deposited and if he is no more required in any other case.

The appeal is disposed of accordingly.



**J.M. MALIK, J**

November 28, 2006  
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