

Chanderkesh Vs. State

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Court : Delhi

Decided On : Mar-18-2014

Judge : Indermeet Kaur

Appellant : Chanderkesh

Respondent : State

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI % + Judgment reserved on :11.3.2014 Judgment delivered on:

18. 3.2014 CRL.A. 205/2006 CHANDERKESH Through Appellant Mr. H.K. Sharma, Mr. Mohit Aggarwal and Mr. Siddharth Gupta, Advs. Versus STATE Through Respondent Mr. Varun Goswami, APP CORAM: HON'BLE MS. JUSTICE INDERMEET KAUR INDERMEET KAUR, J.

1 This appeal is directed against the impugned judgment and order of sentence dated 17.3.2006 and 18.3.2006 wherein the appellant Chanderkesh has been convicted under Section 7 and Section 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act,1988 (hereinafter referred to the as the said Act); for the offence under Section 13(1)(d) read with Section 13(2) of the said Act he has been sentenced to undergo RI for a period of 1 year and to pay a fine of Rs.2,000/- in default of payment of fine to undergo SI for two months; for the offence under Section 7 of the said Act he has been sentenced to undergo RI for

six months and to pay a fine of Rs.1000/- in default of payment of fine to undergo SI for 15 days. 2 Record shows that a complaint had been filed by Madhu (PW-4) which was to the effect that the appellant who was working as a record keeper in the office of the Sub-Registrar, Kashmere Gate had demanded an illegal gratification of Rs.250/- from the complainant for supplying her a certified copy of the sale deed pertaining to her plot i.e. plot No.81A, measuring 150 sq. yards, Khasra No.339, Village Bindarpur, Block-V, Sector-D, Najafgarh Road, Delhi. This complaint was made by PW-4 before the Anti Corruption Branch on 28.4.1993; the complaint had noted that on 27.4.1993 i.e. one day prior to her complaint at about 2.00 p.m. she had gone to the office of the SubRegistrar, Kashmere Gate; she had contacted the dealing clerk known as Chander Kesh, who is the present appellant; he was working as a record keeper. She wanted a certified copy of the sale deed pertaining to her plot; the appellant had demanded a sum of Rs.250/- (sewa-paani); Rs.100/- was paid on 27.4.1993 as a advance and balance of Rs.150/had been agreed to be paid on the following day i.e.28.4.1993. Since she did not wish to pay the bribe amount this complaint was filed. In court she (PW-4) however did not support the prosecution version. 3 The pre-raid proceedings were drawn up. In the pre-raid proceedings the investigating officer S.P.Singh (PW-7) had called the panchwitness S.S.Rawat (PW-10) to join the proceedings; it was explained to the panchwitness that after the bribe money had been paid by the complainant to the accused an appointed signal had to be given by him pursuant to which raiding party would reach the spot. 4 Inspector Tola Ram Mirwani, raiding officer (PW-5) has fully supported the version of the prosecution. On the appointed signal given by PW-10 the raiding party had reached the spot and the accused was challenged; on his personal search three GC notes in the denomination of Rs.50/-each were recovered from him. Since this money in the preraid proceedings had been coated with phenolphthalein powder, the hand washes of the appellant were taken and they turned positive establishing the stand of the prosecution that this was the tainted money which had been received by the appellant from the complainant. 5 The report of the CFSL corroborated the testimony of PW-5 and PW-1. This report of the CFSL corroborating the oral version of the witnesses was proved through Senior Scientific Officer N.K.Prasad (PW-6) as Ex.PW-6/A which had tested these hands-washes and pant pocket wash of the appellant positive for phenolphthalein

powder and sodium carbonate. 6 On the basis of the aforementioned evidence collected by the prosecution the appellant was convicted and sentenced as aforementioned. 7 In his statement recorded under Section 313 Cr.P.C. the appellant had pleaded innocence; he had stated that he had been falsely implicated in the present case. He was working in his office; he was busy from 4.00 p.m. to 6.00 p.m. The complainant came to his room and within next few seconds 2-3 persons came to his office and took him away forcibly for no reason; this was a case of false implication. 8 No evidence was led in defence. 9 On behalf of the appellant, arguments have been addressed in detail. First argument addressed by the learned counsel for the appellant is based on sanction. It is stated that the sanction order (PW-1/A) suffers from infirmities as the date has not been mentioned; the sanction order further recites that the consideration had been paid by the complainant for obtaining certified copy of a sale deed of Plot No.81A, areas 150 square yards khasra No.399, Village Badarpur, Block-V, Sector-D, Najafgarh Road, Delhi; whereas the village is named Bindapur. It is established that there has been no application of mind by the Sanctioning Authority in granting the sanction. The whole sanction stands vitiated. For this proposition reliance has been placed upon a judgment of a Coordinate Bench of this Court in Cri.A. No.976/2010 titled K.C.Singh Vs. CBI decided on 10.8.2011. Second submission of the appellant is based on the oral testimony of the witnesses. Attention has been drawn to the statement of the complainant (PW-4); submission being that she is totally hostile; she has not supported the version of the prosecution. The panchwitness (PW-10) has nowhere stated that there was any demand made by the appellant pursuant to which the bribe money had allegedly been paid by the complainant (PW-4) to the appellant. Submission being reiterated that in the absence of demand the conviction of the appellant is liable to be set aside. Attention has been drawn to a certain portion of the cross-examination of PW-10; wherein PW-10 had stated that the accused had not demanded any money from the complainant. Submission being that even from this document Ex.PW-10/A it is clear that no demand had been made by the appellant. For this proposition reliance has been placed upon (2009) 9 SCC87V.Kanna Vs. State and 2009(2) LRC93SC) C.M.Girish Babu Vs. CBI. Attention has also been drawn to the version of raid officer (PW-5) as also the investigating officer (PW-7). Submission being

that PW-5 has stated that he had coated the tainted money with phenolphthalein powder; this phenolphthalein powder had obviously touched his hands; there is no deposition of PW-5 that he had washed his hands; thus there is thus every possibility that phenolphthalein powder from the hands of PW-5 had been transferred to the hands of the appellant and to his pant pocket when he had searched him. As such the evidence of the hands washes cannot be relied upon and to support this proposition reliance has been placed upon (2011) 12 SCC294P. Parasurami Reddy Vs. State of Andhra Pradesh. Attention has also been drawn to the panchnama; submission being that that the proceedings had not been conducted at the spot. Further submission of the learned counsel for the appellant is that since the trial judge has disbelieved the transaction of 27.4.1993 and as the first part of the version of the prosecution has been disbelieved the entire story of the prosecution has to be necessarily disbelieved. Submission being that incident of 28.4.1993 also could not have been relied upon. To support this submission reliance has been placed upon a judgment of the Apex Court reported in (1977) 3 SCC352Hari Dev Sharma Vs. State (Delhi Administration). On all counts benefit of doubt has to be granted to the appellant. He is entitled for a consequential acquittal. 10 Arguments have been refuted by the learned public prosecutor. Submission is that on no count does the impugned judgment call for any interference. Submission being that even if the complainant (PW-4) had turned hostile, her testimony cannot be ignored in toto; it is a well settled law that so far the version of a hostile witness supports the version of the prosecution, it can be relied upon to that limited extent. To support this submission reliance has been placed upon (2012) 4 SCC327Bhajju @ Karan Singh v.State. On the point of sanction it is pointed out that the date has been written in pen by the Sanctioning Authority and merely because there is a typing error in the village i.e. whether it is Badarpur or Bindapur will by itself not be sufficient to vitiate the sanction. Attention has been drawn to the cross-examination of PW-1, the Sanctioning Authority, where no single question has been put to this witness about this so-called error which has been noted in the sanction order. Further submission being that this argument had been taken up for the first time before this Court and this argument has not been addressed before the Special Judge. The sanction has been validly granted. To support this judgment reliance has been placed upon (2010) 8

SCC655State of M.P. Vs. Hari Shanker Vs. State. Learned public prosecutor further points out that the version of PW-10 is fully corroborative with the version of PW-5. The GC notes which were recovered from the appellant matched the numbers of the GC notes which were noted in the pre-raids proceedings. CFSL has also corroborated the oral testimony of PW-5 (raid officer) holding this to be the same tainted money. It is pointed out that the testimonies of the aforementioned witnesses clearly establish that there was a demand. Learned public prosecutor has placed reliance upon a judgment of the Apex Court reported as (2009) 5 SCC117State of A.P. Vs. M., Radha Krishan Murthy to support his submission that the judgment relied upon by the learned counsel for the petitioner in the case of Hari Devi Sahrma has been distinguished and even if the first incident of 27.4.1993 is to be disbelieved that will not wash away or take away the authenticity and veracity of the incident of 28.4.1993. Reliance has been placed upon (2012) 4 SCC289Brajender Singh Vs. State of M.P. to support an argument that where the accused takes benefit of putting forward his defence in his statement made under Section 313 Cr.P.C. in so far as, it supports the case of the prosecution, such a statement can be used against the accused; on this point the submission being that the appellant in his defence in his statement recorded under Section 313 Cr.P.C. has admitted the entire incident but has stated that this was a false implication; no reason has been spelt out for such a false implication and more over the fact that this matter had not been reported to any senior officer that he has been falsely implicated also goes against him. On no count does this defence merit any consideration. Impugned judgment calls for any interference. 11 Arguments have been heard and record has been perused. 12 The version of the prosecution is that the complainant (PW-4) wanted to obtain certified copy of the sale deed of her plot bearing No.81A, measuring 150 sq. yards, Khasra No.339, Village Bindarpur, Block-V, Sector-D, Najafgarh Road, Delhi and for which purpose she had gone to the office of Sub-Registrar, Kashmere Gate where she met the appellant who was a record keeper. He had told her that this sale deed would be made available to her only when she did sewapani; it was agreed that Rs.250/- would be paid by the complainant to the appellant; of which Rs.100/- was paid on 27.4.1993; complainant had agreed to pay the balance sum of Rs.150/- on the following day at 4.00 p.m. However, since she did not wish to pay this bribe

amount she made a complaint. This complaint is Ex. PW-5/A; it had been signed by the complainant. On oath this witness has admitted her signatures on Ex.PW-5/A but has stated that she had signed this document without reading its contents. She has further admitted that she had passed higher secondary examination and can read both hindi and english language. She had also admitted her signatures on the memos including the preraid report and post raid report Ex.PW-4/B and Ex.PW-4/E. She has stated that she had signed these documents at the instance of the police. She admitted that she did not report the matter to the higher authorities about the police having obtained her signatures forcibly. 13 This witness has otherwise not supported the version of the prosecution but this part of her evidence clearly shows that she had given a complaint on 28.4.1993 which was to the effect that she had paid a sum of Rs.100/- to the appellant on 27.4.1993 and had agreed to pay balance sum of Rs.150/- on the following day as a demand had been made by the appellant stating that a certified copy of the sale deed of her plot would be made available to her only if she had given this sum of Rs.150/-. The fact that the appellant was working as a record keeper in the office of the Sub-Registrar, Kashmere Gate is not disputed. The fact that he was present in the office on that day is also not disputed; in fact, it has been proved by Raghubir Singh (PW-8) who had brought the attendance register from the office of the Sub-Registrar, Kashmere Gate, substantiating this position. Even otherwise, the accused himself in his statement under Section 313 Cr.P.C. has admitted his presence in his office. The aforementioned evidence of PW-4 further establishes that the complainant had gone to the Anti Corruption Branch; a complaint had been signed by PW-4 in the Anti Corruption Branch; it has come on record that PW-4 is an educated lady; there was no reason for her not to read Ex.PW-5/A before signing it; there is also no explanation as to why she had gone to the Anti Corruption Branch at all if she had no reason to do so. 14 The relevance of a statement of a hostile witness was examined by the Apex Court in (2012) 4 SCC327Bhajju @ Karan Singh v.State . It had noted as follows:

We may notice, at this stage that the court can even take into consideration the part of the statement of a hostile witness which supports the case of the prosecution. Therefore, it cannot be said that whenever prosecution witnesses are declared hostile, it must prove fatal to the case of the prosecution.

15 It has thus been established that PW-4 had made a complaint (Ex.PW-5/A) duly signed by her; this was on 28.4.1993; the pre-raid and post raid proceedings recorded on 28.4.1993 had also been signed by her. 16 Panchwitness has been examined as PW-10. He has fully supported the case of the prosecution and has elaborated the incident in detail on oath in court. He has deposed that on 28.4.1993 he was asked to join pre-raid proceedings. The complainant i.e. PW-4 had come to the Anti Corruption Branch and had made her complaint Ex.PW-5/A which was recorded in his presence and signed by him at point B. She had produced three GC notes in the denomination of Rs.50/- each which had been coated with phenolphthalein powder and a live demonstration was given in front of PW-10 showing that when these treated notes were dipped into the solution of sodium carbonate they would turn pink. Instructions were imparted to the complainant and PW-10 that after the copy of the sale deed had been supplied to PW-4 the money would be given by her upon which the appointed signal would be given by PW-10. PW-10 has further deposed that on the fateful date at 4.00 p.m. he and the complainant went to the room of the appellant and contacted him and PW-4 asked for copy of the sale deed; the appellant replied that same was not ready; he thereafter became busy with his work. It is only at about 6.00 p.m. that PW-4 had given Rs.150/- to the appellant as Mehnatana which money was accepted by the appellant in his right hand and after counting the same with both his hands he kept it in his left pant pocket. Signal was given by PW-10 pursuant to which the raiding party reached the spot. Further deposition of PW-10 being that PW-4 had challenged the accused stating that he had accepted the bribe money upon which the accused became nervous and on the search of the left pant pocket of the appellant Rs.150/- were recovered. These GC notes which were three in number in the denomination of Rs.50/- each seized vide memo Ex.PW-4/A their numbers matched with the numbers given of the notes in the pre-raid proceedings. Thereafter hands washes and pant pocket wash of the appellant were taken and transferred into separate bottles. They were marked as LHW-I and LHW-II, RHW-I and RHW-II and LPW-I and LPW-II; they were seized and sealed. PW-10 stuck to his stand in the cross-examination. He has stated that several persons were sitting in the room of the appellant when he reached there and he remained there up to 6.00 p.m.; the complainant repeatedly requested the appellant to give the certified

copy of the sale deed but he stated that he was busy. PW-4 and PW-10 remained sitting there; the public dealing with the accused continued up to quarter to six i.e. up to 5.45 p.m. In another part of his cross-examination he stated that all the proceedings i.e. taking washes wash and writing work were taken place at the Anti Corruption Branch, Tis Hazari. He further stated that the accused had not demanded any money from the complainant. It is in the last para of PW-4 which has been highlighted by the learned counsel for the appellant to put forward an argument that no demand has been made by the appellant and in the absence of any demand offence under Section 13(1)(d) read with section 13(2) of the said Act is not complete. This Court shall revert back to this argument at a later time. 17 PW-5 is the raid-officer. He has corroborated the version of PW- 10. He stated that after explaining the pre-raid proceedings, he on the appointed signal having been given by PW-10 went into the room of the appellant where he apprehended the accused. Rs.150/- were recovered from the left pant pocket of the appellant which were three GC notes in the denomination of Rs.50/- each. The numbers of the recovered GC notes were the same as noted in the pre-raid report (Ex.PW-4/D). Shri N.K.Prasad (PW-6) had examined the right hand and left hand washes of the appellant as also the left pant pocket wash and had reported vide his report Ex.PW-6/A that all these washes had tested positive for phenolphthalein powder and sodium carbonate. 18 The main thrust of the arguments of the learned counsel for the appellant is that no demand has been mentioned in the version of PW-10 which is the panchwitness and PW-4, the complainant, also being hostile the conviction of the appellant cannot be sustained on the sole version of PW-5 alone. 19 This Court is not in agreement with the submission of the learned counsel for the appellant. PW-4 is the complainant; she had admittedly given a complaint to the Anti Corruption Branch which has been proved as Ex.PW-5/A. In this complaint, she had detailed that the appellant had made a demand of Rs.250/- from her for processing the papers to supply a certified copy of the sale deed of her plot. Although on oath, in court she had denied this version but her complaint which is a written document stands admitted. PW-10 has confirmed the fact that the complaint of PW-4 was given by PW-4 in his presence and he had signed at point B. This is further corroborated by the testimony of PW-5 who has written this complaint and had also signed the document. Both PW-5 and PW-10 on oath

having detailed this complaint (Ex.PW-5/A) in their versions on oath in court and which document clearly recites that the appellant had made a demand for supplying a certified copy of the sale deed to the victim, coupled with the version of PW-5 wherein he has reiterated that on 28.4.1993 at the time of the raid he along with PW-4 was sitting in the office of the appellant for two hours; up to 5.45 p.m. when public dealing was over and at about 6.00 p.m. on the appellant supplying a certified copy of the sale deed to PW-4 the bribe money of Rs.150/- was handed over by PW-4 to the appellant in his presence. CrI.A. No.205/2006 This version of PW-5 has also been Page 16 of 25 corroborated by PW-10 who has stated that on the appointed signal being given he had reached the spot; challenged the accused that he had accepted the bribe money; on search, from the left pant pocket of the accused the tainted money of Rs.150/- was recovered. The fact that this tainted money has been recovered from the left pant pocket of the accused has been corroborated by the versions of both PW-5 and PW-10 who had deposed that the number of the GC notes recovered from the left pant pocket of the appellant matched the numbers were noted in the pre-raids proceedings i.e. in Ex.PW-4/B. 20 This evidence on record clearly establishes that on the demand of the appellant which demand had initially started on 27.4.1993 and out of which the partial amount of Rs.100/- has been paid on the same day, the balance sum of Rs.150/- was paid on the following day as had been agreed. It is not as if the demand which was made by the appellant on 27.4.1993 had come to a close. The judgment of Hari Dev Sharma (supra) relied upon by the learned counsel for the appellant besides being distinguishable on facts had been also been considered by the Supreme court in the case of M.RAdha Krishan Murthy (supra) and has been distinguished. The Supreme Court in this context had noted herein as under:

15. On a bare reading of the judgment in Hari Dev Sharma's case (supra), it is clear that no rule of universal application was laid down that whenever a part of the case relating to demand and acceptance is not acceptable, the whole case would fail even if the case relating to trap, recovery of money and chemical test by the prosecution is established. When part of the prosecution version relating to demand and acceptance of bribe stands by itself, the ratio of the decision does not apply.

21 In M.RAdha Krishan Murthy (supra) an earlier demand had been made on 13.6.1989; the demand was of Rs.5000/- of which part payment of Rs.2000/- was paid on the same day and the balance was to be paid on 19.6.1989. Trial court had convicted the appellant but the High Court in appeal had noted that since the first demand of Rs.2000/- has not been proved the remaining transaction could also not be accepted. This was set aside by the Supreme Court. In this context the Supreme Court had made the following observations which are relevant; they reads as under:

16. Unfortunately, in the instant case the High Court has lost sight of the aforesaid aspects and by placing reliance on the aforesaid decision in Hari Devi Sharma case has directed acquittal.

17.

1. Courts should not place reliance on decisions without discussing as to how the factual situation fits in with the fact situation of the decision on which reliance is placed. Observations of Courts are neither to be read as Euclid's theorems nor as provisions of the statute and that too taken out of their context. These observations must be read in the context in which they appear to have been stated. Judgments of courts are not to be construed as statutes. To interpret words, phrases and provisions of a statute, it may become necessary for judges to embark into lengthy discussions but the discussion is meant to explain and not to define. Judges interpret statutes, they do not interpret judgments. They interpret words of statutes; their words are not to be interpreted as statutes. In *London Graving Dock Co. Ltd. v. Horton* 1951 AC737 at p.761, Lord Mac Dermot observed: The matter cannot, of course, be settled merely by treating the ipsissima verba of Willes, J as though they were part of an Act of Parliament and applying the rules of interpretation appropriate thereto. This is not to detract from the great weight to be given to the language actually used by that most distinguished judge... 16. In *Home Office v. Dorset Yacht Co Ltd.* 1970 (2) All ER294 Lord Reid said, "Lord Atkin's speech...is not to be treated as if it was a statutory definition. It will require qualification in new circumstances."

Megarry, J in *Shepherd Homes Ltd. Vs. Sandham* (1971) 1 WLR1062 observed: "One must not, of course, construe even a reserved judgment of even Russell L.J. as if it were an Act of Parliament.."

And, in *Herrington v. British Railways Board* 1972 (2) WLR537 Lord Morris said: There is always peril in treating the words of a speech or judgment as though they are words in a legislative enactment, and it is to be remembered that judicial utterances made in the setting of the facts of a particular case.

17. Circumstantial flexibility, one additional or different fact may make a world of difference between conclusions in two cases. Disposal of cases by blindly placing reliance on a decision is not proper.

22 There is no doubt to the proposition that each case depends upon its own individual facts. In the instant case merely because the accused has been given benefit of doubt regarding the incident of 27.4.1993 as the bribe money of Rs.100/- had not been recovered, it does not wash away the incident of 28.4.1993. PW-4 in her complaint (Ex.PW-5/A) also speaks of the incident of 27.4.1993. The trial judge has also correctly noted that since the demand was made on the previous day there was no occasion for the accused to have renewed this demand in words again; the fact that he has accepted the sum of Rs.150/voluntarily and willingly is evident from the fact that this money had been accepted by him in his right hand and thereafter counted by both his hands and then put it in his left pant pocket; this was a voluntary act of the appellant. 23 Testimony of PW-10 is also corroborated by the version of the raid officer (PW-5). There is no reason for the raid officer to have falsely implicated the accused. No such specific suggestion has also been given to PW-5. CFSL report Ex.PW-6/A is yet another clinching piece of corroborative evidence. The hands washes of the appellant and his left pant pocket wash had turned pink reiterating the positivity of the presence of phenolphthalein powder and sodium carbonate showing that it was the same tainted money which had been used in the pre-raid proceedings; the numbers of the GC notes also tallied. 24 The defence of the accused recorded under Section 313 Cr.P.C. shows that the appellant has admitted that the incident had taken place in his office on 28.4.1993; PW-4 was present in his office; there was no

occasion for her to go to the office of the appellant except for obtaining the certified copy of the sale deed of her plot. On this count PW-4 has again sought to shield the appellant and has stated that she has not gone to the Anti Corruption Branch on 28.4.1993. One is trying to protect the other but in this scenario they have ended up with contradicting one another. If the defence of the accused was honest and he had been falsely implicated nothing prevented him from making a report to any higher authority (which is also his version in his statement recorded under Section 313 Cr.P.C.) but admittedly no such report was made to any higher body. This defence is also evident from the line of the cross-examination of the witnesses of the prosecution; this defence is clearly an afterthought and on legal advice and is nothing but sham. 25 Sanction Ex.PW-1/A has been given by a due application of mind. The Sanctioning Authority has given a brief narration of the entire facts before granting sanction and has further gone on to recite in Ex.PW-1/A that the sanction has been accorded after due application of mind. PW-1 on oath also stated that he had satisfied himself from the contents of the documents that a prima facie case is made out against the accused before granting sanction against him; this has been reiterated in his cross-examination. Merely because there is difference in the name of village; whether it is village Badarpur or Bindapur could be nothing but a typographical error as all other details of the incident as also the details of the plot number of the property are correct. Moreover, PW-1 has also not been cross-examined on this aspect. This argument had also not been raised before the Special Judge. This argument appears to be belated and an afterthought. 26 The Apex Court has time and again reiterated that an officer granting sanction is not required to indicate that he has personally scrutinized the file for arriving at a satisfaction for granting sanction; there is also no prescribed format for grant of sanction. The narration of events for granting of a sanction for prosecution which has been detailed in the sanction order clearly indicates the reasons for grant of such sanction. In no manner can it be said that the sanction order is not a valid order. 27 The presumption under Section 20 of the said Act had also been raised by the trial judge in favour of the prosecution. 28 Prosecution on all counts has been able to establish its case to the hilt. 29 Accused was admittedly a public servant working as a record keeper in the office of the Sub-Registrar, Kashmere Gate. He had agreed to accept a bribe amount of Rs.250/- of

which Rs.110/- which was the balance amount was received by him on 28.4.1993. He had used illegal means to obtain this pecuniary advantage for himself. Ingredients of both Sections 7 and 13(1)(d) read with Section 13(2) of the said Act have been fulfilled. No argument has been addressed on the point of sentence. The impugned judgment had recorded a minimum punishment. The minimum punishment under Section 7 of the said Act is 6 months RI and the minimum sentence under Section 13(1)(d) read with Section 13(2) is 1 year RI. The appellant has suffered incarceration for 1 day only. The appellant has abused his official capacity for doing a job for which there is a bounden duty to perform that act and he had demanded and accepted a bribe amount. The impugned judgment on no point either on merits or on the point of sentence calls for any interference. 30 Appeal dismissed. 31 Bail bond cancelled. Surety discharged. Appellant be taken into custody so serve the remaining sentence. INDERMEET KAUR, J
MARCH18, 2014 ndn

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