

Swaranjit Singh Vs. State

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Court : Delhi

Decided On : Jul-24-2001

Reported in : 93(2001)DLT147

Judge : R.S. Sodhi, J.

Acts : [Arms Act, 1959](#) - Sections 3 and 25(1B)(A)

Appeal No. : Crl. Appeal No. 202 of 1992

Appellant : Swaranjit Singh

Respondent : State

Advocate for Def. : U.L. Watwani, Adv.

Advocate for Pet/Ap. : Sanjay Abbot, Adv

Judgement :

R.S. Sodhi, J.

1. This criminal appeal is directed against the judgment and order dated 30.9.1992 of the learned Additional Sessions Judge in Sessions Case No. 127/1990 whereby the learned Additional Sessions Judge held the appellant guilty under Section 25, Arms Act and further by his order dated 17.10.1992 sentenced the appellant-accused to undergo R.I. for two years with a fine of Rs. 5,000/- and in default of

payment of fine to further undergo R.I. for six months.

2. Learned Counsel for the appellant, at the outset, does not wish to challenge the judgment of conviction but confines his arguments to the question of sentence only. He submits that the sentence undergone would suffice for the reasons that the case relates to 20.7.1991 and the appellant has already undergone a substantial portion of incarceration. He has undergone the ordeal of trial for nearly 10 years. He submits that the accused has been on bail since 5.11.1992 and that there has been no complaint about his having belied the trust bestowed upon him by this Court. He submits that the appellant is also not a previous convict and has by now assimilated in the mainstream of society as a useful citizen, therefore, no useful purpose would be served in requiring him to undergo the remaining portion of his sentence at this belated stage. Learned Counsel for the State has no objection if the sentence of the appellant is reduced to that already undergone.

3. Having heard learned Counsel for the parties and having perused the material on record, I am of the opinion that the order of conviction cannot be faulted with but sentence can be reduced. In this view of the matter, while upholding the order of conviction, I reduce the sentence to that already undergone.

Crl. A. 202/1992 is disposed of.

4. The appellants is on bail. His bail bond and sureties shall stand discharged.

The non-bailable warrants issued to secure the presence of the appellant are recalled.

5. Appeal disposed of.

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