

Badri Vs. State of Rajasthan

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Court : Rajasthan

Decided On : Nov-14-1977

Reported in : 1977WLN(UC)562

Judge : V.P. Tyagi, C.J.

Appeal No. : S.B. Criminal Jail Revision No. 242 of 1977

Appellant : Badri

Respondent : State of Rajasthan

Judgement :

V.P. Tyagi, C.J.

1. This revision from Jai filed by accused Badri is directed against the judgment of the Sessions Judge, Bundi dated 26-7-77 whereby the sentence awarded by the trial court of the petitioner under Section 7/16 of the Prevention of Food Adulteration Act was reduced from one years to six months R.I. but the fine of Rs. 1000/- was maintained.

2. The petitioner's submission is that the petitioner was caught selling the adulterated milk in the month of January, 1973 and since then he has been facing the proceedings in the Criminal Courts. He also submits that the accused has already undergone substantive sentence of three months and 20 days. He, therefore, contends that the ends of justice would be met if the substantive

sentence of the petitioner is curtailed to one already undergone.

3. The learned Public Prosecutor, however, has no objection if the request of the petitioner is accepted by this Court.

4. In the circumstances of this case I think it proper to reduce the sentence from six months to one already undergone. The sentence of fine is however, maintained. The petitioner is in jail he shall be released forthwith it not required in any other case.

5. The revision application is therefore partly allowed.

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