
(1996) 8 SCC 635 : (1996) 1 UJ 385

Supreme Court of India

Case No: Criminal Appeal No. 1888 Of 1996

Tapas Kumar Dutta

APPELLANT

Vs

State of Bihar

RESPONDENT

Date of Decision: Nov. 1, 1996

Citation: (1996) 8 SCC 635 : (1996) 1 UJ 385

Hon'ble Judges: S. B. Majmudar, J; A. S. Anand, J

Bench: Division Bench

Final Decision: Disposed Of

Judgement

@JUDGMENTTAG-ORDER

1. On 30/8/1990, notice was issued in the special leave petition limited to the question of sentence. Further, the petitioner was permitted exemption

from surrendering.

2. Heard the petitioner in person.

3. Leave granted limited to the question of sentence only.

4. Despite a notice having been served on the respondent and also a notice having been sent to the learned Standing Counsel for the State of

Bihar, no one has entered appearance so far.

5. After hearing the petitioner in person, who has filed an affidavit on 3/10/1996, we consider it appropriate in the peculiar facts and circumstances

of the case and taking into consideration that the appellant has, during the pendency of this appeal in this court, continued with his education and

has improved his educational qualifications and has now submitted his thesis for the award of the degree of Ph.D., it appears appropriate to us that

with a view to reform the appellant and reclaim him as a member of the society, while maintaining his conviction to reduce the sentence to the

period already undergone by him.

6. We, accordingly, allow this appeal to the limited extent that the sentence imposed upon the appellant by the courts below shall stand reduced to

the period of sentence already undergone by the appellant. The sentence of fine is, however, set aside.