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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 740/2015**
DEVNISH @ DINESH

..... Petitioner

Through: Mr. Biswajeet Kumar, Advocate

versus

STATE

..... Respondent

Through: Mr. Rajat Katyal, Additional Public
Prosecutor for the State

CORAM:
HON'BLE MR. JUSTICE P.S.TEJI

ORDER
% 27.01.2016

By this petition filed under Section 397, 401 read with Section 482 of Cr. P.C. the petitioner seeks to challenge the judgment dated 4.9.2015 passed by Special Judge (PC Act) (CBI) New Delhi, whereby the learned Sessions Judge has dismissed the criminal appeal filed by the petitioner against the order passed by learned Metropolitan Magistrate dated 30.04.2015 and order on sentence dated 23.06.2015, sentencing the petitioner under Section 279, 304A of IPC for a period of eight months and fine of Rs.5,000/-.

At the outset, counsel for the petitioner does not challenge the

impugned order on its merit but prays for reducing the sentence to the period already undergone by the petitioner.

Nominal roll of the petitioner is filed by the State. According to the nominal roll, the petitioner has already served the sentence for a period of 5 months and 3 days.

I have heard the submissions made by counsel for the petitioner and after considering the facts and circumstances of the present case, this Court is inclined to modify the order of sentence to the extent of the petitioner is convicted for an offence punishable under Section 279/304-A and is sentenced to undergo imprisonment for the period already undergone by him.

In view of the aforesaid, the petitioner be released forthwith, if not required in any other case.

A copy of this order be sent to the Trial Court for information and necessary action.

With aforesaid directions, the present petition stands disposed of.

P.S.TEJI, J

JANUARY 27, 2016
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