



IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1897/2022
[SLP [CRL.] NO.3999/2022]

BABULAL SAHU

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

O R D E R

Leave granted.

The only issue in the present proceedings for which notice was issued is the quantum of sentence. In terms of the impugned judgment, the sentence is five years. Learned counsel for the appellant has placed a calculation of the custody period which shows that the appellant has already been in actual custody for 4 years 5 months and 18 days (as on 28.09.2022) and 4 years 6 months and 25 days as on date.

It appears that there is a discrepancy in the custody certificate as the custody of the appellant as a convict from 04.08.2014 to 12.05.2016 has not been taken into account.

In view of the aforesaid, we are inclined to restrict the sentence to a period of 4 years and 6 months.

VERDICTUM.IN

The appeal stands disposed of accordingly.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[ABHAY S. OKA]

**NEW DELHI;
NOVEMBER 04, 2022.**

VERDICTUM.IN

3

ITEM NO.30

COURT NO.3

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (CrI.) No(s). 3999/2022

(Arising out of impugned final judgment and order dated 17-11-2021 in CRA No. 2571/2014 passed by the High Court Of M.P. Principal Seat At Jabalpur)

BABULAL SAHU

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

Date : 04-11-2022 This petition was called on for hearing today.
CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Uday Gupta, Adv.
Ms. Shivani M. Lal, Adv.
Ms. Sanam Singh, Adv.
Mr. Rajeev Kumar Pathak, Adv.
Mr. M.K. Tripathi, Adv.
Mr. Harish Dasan, Adv.
Mr. Rajiv Ranjan, Adv.
Mr. Rajeev Gupta, Adv.
Mr. Hiren Dasan, AOR

For Respondent(s) Ms. Mrinal Elkar, Adv.
Mr. Sunny Choudhary, AOR
Mr. Gautam Kumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The Court, *inter alia*, directed as under:

"In view of the aforesaid, we are inclined to restrict the sentence to a period of 4 years and 6 months."

The appeal is disposed of in terms of the signed order.

Pending application, if any, stands disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)

[Signed order is placed on the file]