

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRLMP. 1651 OF 2017
IN
CRIMINAL APPEAL 430 OF 2017
D. No. 1679 OF 2017

BHARAT SINGH SHAKYA

Appellant(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave to appeal is granted.
2. Delay condoned. Appeal admitted.
3. In the nature of the order we propose to pass, it is not necessary to issue notice to the respondents.
4. The appellant was dismissed from service, which was challenged by him before the Armed Forces Tribunal. The Tribunal, however, dismissed the appeal upholding termination to be proper.
5. It is seen that during the pendency of the proceedings, the appellant had made a representation to the competent authority and the said competent authority has converted the 'dismissal' of the appellant into 'discharge'.

6. Therefore, this appeal is disposed of making it clear that the punishment imposed on the appellant will be substituted as 'discharge' for all purposes.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

New Delhi;
February 23, 2017.



JUDGMENT