

Punishment: supreme  
court reduced the  
sentence of



**ASSIGN  
BUSTER**

Punishment: Young age of the accused and an undertaking for the good behaviour of the accused have been considered to be good grounds of reduction and in a case of scooter theft by a college student of 19 years' age Supreme Court reduced the sentence of imprisonment from two years to six months but maintained sentence of fine of Rs. 2, 000. Explanation 1: A thing so long as it is attached to the earth, not being movable property, is not the subject of theft; but it becomes capable of being the subject of theft as soon as it is severed from the earth. Explanation 2: A moving effected by the same act which effects the severance may be a theft. Explanation 3: A person is said to cause a thing to move by removing an obstacle which prevented it from moving or by separating it from any other thing, as well as by actually moving it.

Explanation 4: A person, who by any means causes any animal to move, is said to move that animal, and to move everything which, in consequence of the motion so caused, is moved by that animal. Explanation 5: The consent mentioned in the definition may be express or implied, and may be given either by the person in possession, or by any person having for that purpose authority either express or implied. A thing attached to the earth, after it has been severed may become the subject of theft.

The severance and the moving may be affected by the same act, i. e., the mere act of severance may amount to theft. Moving may be actual moving or by removing an obstacle which prevented it from moving or by separating the thing from any other thing.

A person who causes an animal to move is said to move that animal and to move everything which is moved by that animal. The consent mentioned in the definition may be express or implied, and may be given either by person in possession or by any person having express or implied authority for that purpose (Section 378).