

IN THE FIJI COURT OF APPEAL

Criminal Appeal No. 69 of 1985

Between:

ANIL KUMAR s/o Satendra Nand Appellant

- and -

R E G I N A M Respondent

G.P.Lala for the Appellant
M.D. Scott & B. Singh for the Respondent

Date of Hearing: 21st October, 1985
Delivery of Judgment: 22nd October, 1985

JUDGMENT OF THE COURT

Ropér, J.A.

This is an application for leave to appeal against a sentence of 5 years imprisonment imposed on each of 9 charges of forgery, uttering, and receiving money on forged documents to which the Appellant pleaded guilty. As a result of his criminal activity the Appellant made off with \$14,000, being money entrusted to a co-operative by the villagers of Nasoso. The Appellant was treasurer of the co-operative. He fled to Canada and was arrested on his return to Fiji three months later. Only about \$550 has been recovered and there is no prospect of any further reimbursement.

Mr Lala abandoned the grounds of appeal prepared by the Appellant in person and relied on the sole ground that the sentence was wrong in principle, being well beyond the normal range for this class of offending.

It is undoubtedly a stern sentence which will result in considerable hardship for the Appellant's family but we are not satisfied that it is manifestly excessive. This was serious offending by a person in a position of trust which resulted in financial loss to people who could ill afford it, and this is not the first occasion that the Appellant has appeared before the Court for dishonesty.

Leave to appeal is therefore refused.


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JUDGE OF APPEAL


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