



**120/3                      IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**(i) CRA-S-1400-SB-2005(O&M)**  
**Date of Decision: 21.07.2026**

Gurpreet Singh @ Kala ...Appellant

VS.

State of Punjab ... Respondent

**(ii) CRA-S-1415-SB-2005(O&M)**

Sukhwinder Singh @ Sukhi ...Appellant

VS.

State of Punjab ...Respondent

**(iii) CRA-S-1469-SB-2005(O&M)**

Jasbir Singh @ Jassi ...Appellant

VS.

State of Punjab ... Respondent

**Coram : Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Vijay Lath, Advocate with  
Mr. S.K.Raghuvanshi, Advocate  
for the appellant in CRA-S-1400-SB-2005.

Mr. Hariom Sharma, Advocate  
for the appellant in CRA-S-1415-SB-2005.

Mr. Ravinder Singh, Advocate and  
Ms. Jatinder Jit Kaur, Advocate  
for the appellant in CRA-S-1469-SB-2005.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

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N.S.Shekhawat J.

1. This judgment shall dispose of above-said three appeals i.e. CRA-S-1400-SB-2005 titled as “Gurpreet Singh @ Kala Vs. State of Punjab”; CRA-S-1415-SB-2005 titled as “Sukhwinder Singh alias Sukhi vs. State of Punjab” and CRA-S-1469-SB-2005 titled as “Jasbir Singh alias Jassi vs. State of Punjab” as all the appeals have been filed against the common impugned judgment and order of sentence dated 29.07.2005 passed by the Court of Additional Sessions Judge-cum-Presiding Officer, Fast Track Court, Rup Nagar, whereby the appellants were ordered to be convicted for the commission of offences punishable under Sections 326 and 34 of IPC and were sentenced as under:-

| Under Section                | RI              | Fine of Rs. | In default of payment of fine |
|------------------------------|-----------------|-------------|-------------------------------|
| Gurpreet Singh               |                 |             |                               |
| 326 of IPC                   | 03 years        | 2000/-      | 04 months                     |
| Sukhwinder Singh             |                 |             |                               |
| 326 of IPC                   | 1 and 1/2 years | 1000/-      | 02 months                     |
| Jasbir Singh                 |                 |             |                               |
| 326 read with Section 34 IPC | 1 and 1/2 years | 1000/-      | 02 months                     |

2. The brief facts of the case are that the complainant Lakhmir Singh recorded his statement with the police on 02.10.2003 at PGI Chandigarh, where the injured Gurdeep Singh was admitted, to the effect that he is an agriculturist by profession and on 27.09.2003, he was present in a religious congregation (Diwan) at village Majra and other people of the area were also present to hear Sant Baba Avtar Singh. Then it was about 10/10:30 pm, the religious congregation was in progress. Gurdeep Singh s/o Rajinder Singh r/o village Takipur, was also sitting in that congregation, then a young man called Gurdeep



Singh out of the congregation and Gurdeep Singh went outside. After some time he heard a noise. The complainant further stated that he already knew Gurdeep Singh. When complaint and Gurnam Singh s/o Jaginder Singh r/o Buthgarh went towards that place from where the noise was coming, then they saw that Jassi S/o Puran Singh and Sukhi s/o Amrik Singh r/o village Manakpur Sharif caught hold Gurdeep Singh from his arms and Gurpreet Singh alias Kala s/o Swaran Singh r/o village Kartarpur were giving fist blows to Gurdeep Singh, then Gurpreet Singh took a knife from the pocket of his pent and gave blow on the left side above the thigh on the abdomen, then the complainant raised alarm, then all the three accused ran away along with the knife. The complainant further stated they arranged a vehicle and the injured was taken to PGI Chandigarh by complainant, Gurnam Singh and Kulwant Singh s/o Gulzar Singh r/o village Takipur who were present there. Injured Gurdeep Singh is present in the PGI for treatment. The complainant further stated that he also knows the above said accused earlier. The complainant further stated in his statement that Gurdeep Singh injured told him on the way to PGI that about one month ago, there was a dispute between him and Sukhi regarding the sale and purchase of cassettes and the accused Kala had also helped Sukhi as both of them were shopkeepers, due to this grudge all the three accused in connivance with each other caused injuries to Gurdeep Singh. The complainant further stated that after got admitting Gurdeep Singh in the hospital, he went to meet his relatives due to some urgent work and today he has come to the PGI to inquire about the health of Gurdeep Singh. The action be taken against the three boys namely Jassi, Sukhi and Gurpreet Singh @ Kala. On his statement, the



case was registered under Sections 326/34 IPC against the accused at P.S. Kurali.

3. After completion of the investigation, the challan was presented before the Court of the Area Magistrate. Since the offences were exclusively triable by the Court of Session, the case was committed to the Court of Session.

4. After presentation of the challan, a *prima facie* case under Sections 307/34 of IPC was made out against the appellants and they were charge-sheeted, accordingly. However, they pleaded not guilty and claimed trial.

5. In order to prove the charges against the appellants, the prosecution examined Lakhmir Singh, complainant as PW-1 who proved his statement Ex.PW-1/A and the knife (Ex.P-1). Gurdeep Singh, injured appeared as PW-2. The other eye-witnesses Gurnam Singh appeared as PW-3. Halqa Patwari, Jasbir Singh appeared as PW-4 and he proved the scaled site plan (Ex.P-4/A). Dr.S.Showmik appeared as PW-5, who medically examined the injured Gurdeep Singh and he proved his reports declaring unfit to injured and the reports are Ex.PW-5/A, Ex.PW-5/B, Ex.PW-5/C, Ex.PW-5/D, Ex.PW-5/E, Ex.PW-5/F, the MLR report of injured Gurdeep Singh is Ex.PW-5/G, pictorial diagram Ex.PW-5/H. ASI Purshotam Chand appeared as PW-6 and he proved his attestation of statement of complainant as Ex.PW-6/A, endorsement Ex. PW-6/B, FIR Ex.PW-6/C, arrest memo of accused Ex. PW-6/D, personal search memo of all the appellants are Ex.PW-6/E, Ex.PW-6/F and Ex.PW-6/G, Disclosure statement of appellant Gurpreet Singh for concealment of knife is Ex.PW-6/H, recovery memo of knife Ex. PW-6/J, Sketch of knife Ex.PW-6/K and rough site plan of place of recovery is Ex.PW-6/L, application moved to know the nature of injury is Ex.PW- 6/M, ASI Barma Singh appeared as PW-7,



who partly investigated the case, application moved to know the condition of the injured, Gurdeep Singh Ex.PW-7/A, Special report regarding the enhancement of offence u/s 307 IPC is Ex. PW-7/B, Personal Bail bonds of Sukhwinder Singh accused is Ex.PW-7/C and his personal search memo is Ex. PW-7/D, personal search memo of accused Jasbir Singh is Ex. PW-7/E, Dr. Pankaj Garg appeared as PW-8 who declared injured Gurdeep Singh fit to make statement. After that the evidence of the prosecution was closed.

6. The appellants were examined u/s 313 Cr.P.C. and the entire incriminating evidence was put to them, who denied the same and claimed false implication, but no evidence in defence was led.

7. At the very outset, learned counsel for the appellants submit that they do not wish to challenge the judgment of conviction and some leniency may be shown by this Court, while awarding the sentence to them. Even though, learned counsel for the appellants have not challenged the judgment of conviction, still this Court has examined the entire case on merits in the light of the evidence led by the prosecution.

8. Learned State counsel contended that the appellants do not deserve any concession regarding sentence and the present appeal be dismissed.

9. I have heard learned counsel for the parties and perused the record carefully.

10. In the present case, the FIR has been got registered by the complainant promptly. Moreover, the case of the prosecution was proved by PW-1 Lakhmir Singh, who reiterated the version as mentioned in the FIR. His testimony was duly corroborated by another eye-witness Gurnam Singh. Still further, Gurdeep Singh, injured also appeared as PW-2 and levelled specific



allegations against all the three appellants. Apart from that, the injuries suffered by Gurdeep Singh was caused by sharp edged weapon within a period of six hours and nature of injury was declared to be grievous. Consequently, from the prosecution evidence, the offence under Section 326/34 of IPC was made out against the appellants and they were rightly convicted by the trial Court.

11. Now, advertent to the order of quantum of sentence, it is apparent from the custody certificates that Gurpreet Singh @ Kala, appellant (in CRA-S-1400-SB-2005) has undergone more than 01 month of actual custody, out of total sentence of 03 years, whereas, Sukhwinder Singh alias Sukhi, appellant (in CRA-S-1415-SB-2005) and Jasbir Singh alias Jassi, appellant (in CRA-S-1469-SB-2005) have already undergone 09 days and 05 days of actual custody, out of total sentence of 01 years and 06 months. All the appellants are facing the agony of trial/appeal/revision for the last about 23 years. Moreover, the sentence imposed on the appellants was suspended by this Court in the year 2005 and in the past 21 years, they had maintained good conduct and all the appellants are not involved in any other criminal activity.

12. Thus, keeping in view the aforesaid mitigating circumstances, the sentence imposed on the appellants is reduced to the period already undergone by them. However, the amount of fine is enhanced to Rs.50,000/- each, which shall be deposited by the appellants. Out of the total fine amount of Rs.1,50,000/-, the appellants shall deposit a sum of Rs.25,000/- each (i.e. a total of Rs.75,000/-) with the Punjab and Haryana High Court Bar Clerks Association, Chandigarh, and the receipt thereof shall be produced before the concerned Chief Judicial Magistrate. The remaining fine amount of Rs.25,000/- each (i.e. a total of Rs.75,000/-) shall be deposited with the Court of the



concerned Chief Judicial Magistrate within a period of two months from the date of receipt of a certified copy of this order.

14. Out of the total fine amount of Rs.75,000/-, the entire amount of Rs.75,000/- shall be paid to Gurdeep Singh, the injured, after due identification and obtaining a proper receipt. In case the aforesaid fine amount is not deposited by the appellants as directed, the present appeal shall be deemed to have been dismissed.

15. With the above modifications, the present appeal is partly allowed and the impugned judgment of conviction is upheld, whereas, the sentence imposed on the appellants is reduced to the period already undergone by them.

16. Case property, if any, be dealt with, and destroyed after the expiry of period of limitation for filing the appeal, in accordance with law.

17. The Trial Court record be sent back, if any.

18. Pending application(s), if any, stand(s), disposed of, accordingly.

**21.07.2026**  
hemlata

**(N.S.SHEKHAWAT)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No