

CRA-S-2002-SB-2006 (O&M)
CRA-S-2003-SB-2006 (O&M)
CRA-S-2124-SB-2006 (O&M)

345/3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:128523



Date of Decision: 10.09.2026

1. CRA-S-2002-SB-2006 (O&M)

ARJAN SINGH		... PETITIONER
	VERSUS	
STATE OF PUNJAB		... RESPONDENT

2. CRA-S-2003-SB-2006 (O&M)

VINOD KUMAR		... PETITIONER
	VERSUS	
STATE OF PUNJAB		... RESPONDENT

3. CRA-S-2124-SB-2006 (O&M)

JEET SINGH		... PETITIONER
	VERSUS	
STATE OF PUNJAB		... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Ms. Manveen Pheruman, Advocate for
Mr. D.S.Pheruman, Advocate for the appellant.

Mr. Mavpreet Singh, D.A.G., Punjab.

H.S. GREWAL, J. (ORAL)

1. By way of common order, CRA-S-2002-SB-2006, CRA-S-2003-SB-2006 and CRA-S-2124-SB-2006 are being decided as all are arising out of the same FIR. For the sake of 'brevity', the facts are being taken from CRA-S-2002-SB-2006.

2. Present appeals have been filed against the judgment of conviction and order of sentence dated 13.09.2006 passed by the learned Addl. Sessions Judge, Fatehgarh Sahib whereby appellant-Arjan Singh was convicted and sentenced to undergo rigorous imprisonment for a period of two years and six months; appellant-Jeet Singh was convicted and sentenced to undergo rigorous imprisonment for a period of one year and six months and appellant-Vinod Kumar was convicted and sentenced to undergo rigorous imprisonment for a period of one year for the offence punishable under Section 489(C) IPC.

2. The case of the prosecution is that the FIR came into being on 21.04.2004 when SI Gurdial Singh, In-charge, Police Post Kheri Naudh Singh, along with other police officials, was present on patrol duty in the area of village Majri. While the police party was present in front of UCO Bank, Majri, SI Gurdial Singh received secret information that accused Arjan Singh, Jeet Singh and Vinod Kumar were engaged in dealing in counterfeit currency notes and were likely to be found in the adjoining villages. Treating the information as credible, SI Gurdial Singh sent a ruqa to Police Station Khamanon, on the basis of which the present FIR was registered against the appellants.

3. Learned counsel for the appellants contends that she is not assailing the impugned judgment of conviction on merits and restricts her prayer qua modification of the order on quantum of sentence. She also contends that the appellants have undergone custody for a period of more than two months out of the awarded sentence. She prays that since FIR in question pertains to the year 2004, a lenient view may be taken while passing an order on quantum by this Court.

4. Learned State counsel opposes the prayer of the appellants and filed the custody certificates in the Court, which are taken on record. He further submits that the Court below has passed a well reasoned judgment based on correct appreciation of evidence available on record.

5. I have heard learned counsel for the parties and have gone through the material placed on record.

6. The FIR in the present case pertains to the year 2004 and the appellants have already faced the rigors of the trial for more than 21 years.

7. Hon'ble the Supreme Court in "*Deo Narain Mandal Vs. State of UP*", (2004) 7 SCC 257, has held that awarding of sentence is not a mere formality in criminal cases. When a minimum and maximum term is prescribed by the statute with regard to the period of sentence, a discretionary element is vested in the Court. Background of each case, which includes factors like gravity of the offence, the manner in which the offence is committed, age of the appellants, should be considered while determining the quantum of sentence and this discretion is not to be used arbitrarily or whimsically. After assessing all relevant factors, proper sentence should be awarded bearing in mind the principle of proportionality to ensure the sentence is neither excessively harsh nor does it come across as lenient.

8. Further, a Division Bench of the Hon'ble Supreme Court in *Ravada Sasikala Vs. State of AP*, AIR 2017 SC 1166, has held that the imposition of sentence also serves a social purpose, as it acts as a deterrent by making the accused realise the damage caused not only to the victim, but also to the society at large. The law in this regard is well settled that opportunities of reformation must be granted and such discretion is to be exercised by

crime, the manner, in which the crime was committed and conduct of the accused to strike a balance between the efficacy of law and the chances of reformation of the accused.

9. A perusal of the judgment of conviction passed by the Court below indicates no perversity in its findings and the same is based on correct appreciation of evidence available on record. However, learned counsel for the appellants has not assailed the judgment, rather restricted the prayer only qua modification of quantum of sentence to that of the sentence already undergone by the appellants.

10. As far as the question of quantum of sentence is concerned, it is worthwhile to note that the occurrence in this case pertains to the year 2004. The right to speedy and expeditious trial is one of the most valuable and cherished rights guaranteed under the Constitution. The appellants have already suffered the agony of protracted trial, spanning over a period of more than 21 years and have been in the corridors of the court for this prolonged period. In view of the facts noted above, the case of the appellants deserve to be dealt with leniency. The appellants also deserves the benefit of the consistent view taken by this court in this regard. Thus, guided by the judicial pronouncements made by the Hon'ble Supreme Court in the cases of *Haripada Das Vs. State of West Bengal* reported in (1998) 9 SCC 678 and *Alister Anthony Pereira vs. [2023:RJ-JD:28174] (5 of 5) [CRLR-755/2003] State of Maharashtra reported in 2012 2 SCC 648* and considering the facts and circumstances of the case, their status in the society and the fact that they faced financial hardship and had to go through mental agony, this court is of the view that ends of justice would be met, if sentence imposed upon the appellants is reduced to the period as

already undergone by them.

11. Accordingly, judgment passed by the learned Addl. Sessions Judge, Fatehgarh Sahib is hereby affirmed but the quantum of sentence awarded by the Court concerned under Section 489(C) IPC has been modified and reduced to the period of sentence as already undergone by them. The appellants are on bail. They need not surrender. Their bail bonds are discharged.

12. With these modifications, the present appeals are disposed of.

13. Pending application(s), if any, shall also stand disposed of.

10.09.2026
Janki

(H.S.GREWAL)
JUDGE

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