



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRR-1060-2008 (O&M)
Date of Decision: 15.07.2026

Pritam Singh and others

.... Petitioners

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. R.K. Grewal, Advocate,
(*through video conferencing*) with
Mr. Dilsahib Singh, Advocate for the petitioners.

Mr. Raj Karan Singh, AAG, Punjab.

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DEEPAK MANCHANDA, J

1. The present criminal revision petition has been preferred against judgment and order of sentence dated 17.08.1999 passed by learned Judicial Magistrate 1st Class, Ludhiana and judgment dated 28.05.2008 passed by learned Additional Sessions Judge (Fast Track Court), Ludhiana.
2. The prosecution case, in brief, is that the complainant, Piara Singh, got his statement recorded alleging that Prem Singh, who was the elder brother of his father, had executed a Will in favour of the complainant and his brother around 16–17 years ago. After the death of Prem Singh, his widow, Bhagwan Kaur, executed a registered sale deed in favour of Satnam Singh and Vidhi Singh. Aggrieved by the said transaction, the complainant filed a civil suit, which was decreed in his favour. The complainant further alleged that the disputed land was initially cultivated



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by his father, Charan Singh, and thereafter he himself continued cultivating the same. Subsequently, in the year 1990, Bhagwan Kaur executed another sale deed in favour of Mohinder Singh, Ravinder Singh and Surinder Kumar. On coming to know of the said transaction, the complainant instituted another civil suit seeking a declaration that the sale deed was illegal, null and void. It was further alleged that on 26.07.1991, after attending the Court at Ludhiana, the complainant and his father, Charan Singh, returned to their village, where his sister-in-law, Ranjeet Kaur, informed them that Mohinder Singh and Ravinder Singh were cutting cattle fodder from their fields and were also ploughing the complainant's land. Thereupon, the complainant, his father Charan Singh, Prem Singh, and Ranjeet Kaur proceeded to the fields at about 6.30 p.m. On reaching the spot, the complainant informed Mohinder Singh and Ravinder Singh that the Civil Court had already granted a stay order in his favour. It is alleged that, upon hearing this, Mohinder Singh fired a shot from his rifle and threatened to kill the complainant. Ravinder Singh then raised a *lalkara* exhorting that the complainant party should not be spared. Thereafter, Ravinder Singh, armed with a *kirpan*, Bhola Singh, armed with a *gandasi*, Gurmail Singh, armed with a *dang*, and Jaswinder Singh and Pritam Singh, also armed with *dangs*, along with some other persons, allegedly attacked the complainant party. During the assault, Ravinder Singh allegedly inflicted a *kirpan* blow on the head of the complainant. When Ranjeet Kaur intervened to rescue him, Rajwinder Singh alias Raji allegedly attacked her with a *kirpan*, causing an injury on her face. Bhola Singh allegedly inflicted a *gandasi* blow on the right arm



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and left hand of Charan Singh. Ravinder Singh is further alleged to have again attacked the complainant with a *kirpan* on his head, as a result of which he fell to the ground and raised an alarm by shouting "*Maar Ditta, Maar Ditta*". On hearing the alarm, all the accused allegedly fled from the spot with their respective weapons. The injured persons were shifted to the hospital, where they were medico-legally examined, and the medico-legal reports were obtained. During the investigation, the statements of the witnesses were recorded under Section 161 of the Code of Criminal Procedure. After completion of the investigation and other necessary formalities, the police presented the challan against the accused under Sections 326, 506, 440, 427, 148 and 149 of the Indian Penal Code before the learned trial Court on 02.04.1992.

3. Learned counsel for the petitioner has argued that though the conviction has already been affirmed by the Courts below, but keeping in view the mitigating circumstances of petitioner No.1, who is aged about 70 years and is not medically fit, has already undergone incarceration for a period of 10 days, out of the substantive sentence awarded, and has remained on bail pursuant to the order dated 27.07.1991 passed by this Court suspending his sentence during the pendency of the present revision petition and that the petitioner No.1 has already faced protracted criminal proceedings for more than 35 years and the petitioner No.1's counsel, on instructions, prays that having regard to the nature of the offence, the petitioner No.1's clean antecedents, and the fact that he is not involved in any other criminal case, this Court may, while maintaining the conviction, reduce the substantive sentence to the period already



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undergone by him, subject to enhancement of the fine, in order to meet the ends of justice. It has further been submitted that though petitioner No.1 was armed with '*danda*', but no injury is attributed to him.

4. On the other hand, learned State counsel in compliance of order dated 23.04.2026 on instructions submits that petitioners No.2 to 4 have already been expired and has filed the custody certificate dated 11.07.2026 of petitioner No.1. He has opposed the prayer made by learned counsel for petitioner No.1 and submits that petitioner No.1 has rightly been convicted based upon the evidence available on record and does not deserve any concession and prays that the present petition be dismissed on merits.
5. I have heard the learned counsels for the parties and have gone through the record with their able assistance.
6. Pursuant to the trial, the prosecution examined 10 witnesses, whereafter the prosecution evidence was closed. The statement of the accused under Section 313 of the Code of Criminal Procedure was thereafter recorded, wherein they denied the allegations of the prosecution and pleaded innocence and asserted that they had been falsely implicated in the present case.
7. As per the record, the FIR was registered in the year 1991, and the present case has come up for hearing today i.e. 15.07.2026, where petitioner No.1 has already faced a protracted criminal proceedings of more than 35 years.
8. While considering prayer of petitioner No.1 for reduction of sentence, this Court finds that the considerable lapse of time since the commission



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of the offence, coupled with the prolonged pendency of the proceedings, is a relevant mitigating circumstance. Further, during this period, as per learned State counsel, petitioner No.1 has not been involved in any other criminal case and has maintained a clean record, indicating his reformation. Moreover, the offences are not so heinous as to disentitle him from the relief sought. Further, as per the custody certificate dated 11.07.2026, petitioner No.1 has already undergone 10 days of the substantive sentence out of the total sentence of 3 years rigorous imprisonment. These factors deserve due weight while determining the alteration of sentence awarded by the trial Court.

9. A similar issue came up for consideration before the Hon'ble Supreme Court in ***Israfil @ Pappu @ Naimuddin Khan Versus State of Madhya Pradesh, 2026 INSC 654***, wherein, having regard to the peculiar facts and circumstances of the case, including the long lapse of time and other mitigating factors, the sentence awarded to the accused was reduced. The ratio of the said decision lends support to the course being adopted in the present case. The relevant extract of the said judgment is reproduced hereunder:

*“23. This Court, in catena of cases before it, while maintaining conviction, had exercised its discretion and had reduced the substantive sentence considering long passage of time, absence of criminal antecedents and other mitigating circumstances. For instance, in **Padum Kumar vs. State of Uttar Pradesh**, while maintaining conviction for offences including Sections 467 and 468 of the IPC, this Court reduced the sentence considering the age of the matter, the sentence already undergone and taking into*



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account the peculiar facts and circumstances of the case. The long lapse of time without any material indicating repetition of similar criminal conduct is also a relevant consideration while moulding sentence. The appellant has already undergone the rigours of criminal proceedings for over a decade since 2014.”

10. The Hon'ble Supreme Court has also recognized that prolonged criminal litigation is by itself a relevant mitigating circumstance while determining the appropriate sentence. Where an accused has lived for years, or even decades, under the shadow of criminal proceedings, facing the uncertainty of the outcome and the social stigma associated with such prosecution, the said experience constitutes a significant factor that deserves to be taken into account while moulding the sentence. The Hon'ble Supreme Court has further observed that such a principle is particularly applicable in cases involving non-heinous offences, where the ends of justice can be adequately served by adopting a reformatory and proportionate approach to sentencing rather than a purely retributive one.
11. This Court also finds that though petitioner No.1 was armed with 'danda', but no injury is attributed to him and all the injuries mentioned at para Nos.18, 20 & 22 of the judgment passed by learned Additional Sessions Judge, Fast Track Court, Ludhiana were attributed to petitioners No.2 to 4, who have already been expired.
12. Given the above discussion, without opining the merits of the case, and while keeping in view the age of petitioner No.1, the present criminal revision petition is accordingly partly allowed and the jail sentence as



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awarded by the Courts below is altered to the extent that the same is reduced to the period already undergone by petitioner No.1, subject to deposit of enhanced fine of Rs.20,000/- to be deposited with the trial Court concerned within a period of two months from today. Further, in view of the statement made by learned State counsel, the present petition stands abated both against the sentence of imprisonment as well as fine qua petitioners No.2 to 4 as they already expired during the pendency of this petition.

- 13. Bail bonds/surety bonds furnished by petitioner No.1 stand discharged.
- 14. It is clarified that in case the aforesaid fine amount is not deposited within the stipulated period, the same would result in reviving the jail sentence awarded by the Courts below and petitioner No.1 will have to then undergo the remaining jail sentence.
- 15. The pending miscellaneous application, if any, is also disposed of as such.

15.07.2026
Pankaj

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No