

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRA-S-1440-SB of 2010

Date of Decision: 11th February, 2015

Harish Kumar

....Appellant

Versus

State of Haryana

....Respondent

CORAM: Hon'ble Mrs. Justice Daya Chaudhary

Present: Mr. K.D.S. Hooda, Advocate
for the appellant.

Mr. Munish Sharma, AAG, Haryana.

DAYA CHAUDHARY, J.(Oral)

The present appeal has been filed to challenge the judgment of conviction and order of sentence dated 07/11.05.2010 passed by the Sessions Judge, Rewari, whereby, the accused-appellant has been convicted for offences punishable under Sections 376/ 506 IPC and was sentenced to undergo rigorous imprisonment for a period of seven years with a fine of ₹ 2,000/- under Section 376 IPC with default clause and further to undergo rigorous imprisonment for a period of two years for offence punishable under Section 506 IPC. However, both the sentences were ordered to run concurrently.

Heard arguments of learned counsel for the appellant as well as learned State counsel at length and have also perused the records of the trial Court but no ground is made out to interfere with the judgment of the trial Court as the same is based on proper appreciation of evidence. However, learned counsel for the appellant submits that the appellant has already undergone the total sentence awarded by the trial Court and he is now not in custody.

Keeping in view the submissions made by learned counsel for the appellant, finding no merit in the arguments advanced by learned counsel for the appellant and also the fact that the accused-appellant has already undergone the sentence and is not in custody now, the judgment of conviction and order of sentence passed by the trial Court is upheld and the appeal, being devoid of any merit, is hereby dismissed.

11.02.2015
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(DAYA CHAUDHARY)
JUDGE