

In the High Court of Punjab and Haryana at Chandigarh

1. Criminal Appeal-S-2105-SB of 2014 (O&M)
Date of decision: 12.2.2015

Ramesh Kumar @ Chillu and anotherAppellants

Versus

State of PunjabRespondent

2. Criminal Appeal-S-2216-SB of 2014 (O&M)

Shunty alias RahulAppellant

Versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Ms. Gurdev Kaur Gill, Advocate
for the appellants.
(In CRA-S-2105-SB of 2014)

Mr. Neeraj Madan, Advocate
for the appellant.
(In CRA-S-2216-SB of 2014)

Mr. V.P.S.Sidhu, AAG, Punjab.

Respondent No. 2 in person along with
Mr. K.K.Garg, Advocate.

SABINA, J.

Vide this order, above mentioned two appeals would be
disposed of these have arisen out of the same occurrence.

Appellants along with their co-accused had faced the
trial qua commission of offence punishable under Section 148, 307,

353, 333, 186 read with Section 149 of the Indian Penal Code, 1860 ('IPC' for short) in FIR No. 126 dated 7.9.2009, registered at Police Station City Fazilka. Trial Court vide judgment/order dated 12.12.2013/24.2.2014 ordered the conviction and sentence of the appellants under Section 307, 326, 324, 333, 353, 34 IPC. The other co-accused of the appellants were ordered to be acquitted. Hence, the present appeals by the appellants.

Learned counsel for the appellants have not challenged the conviction of the appellants under Section 307, 326, 324, 333, 353, 34 IPC but have submitted that sentence qua imprisonment of the appellants be reduced to the period already undergone by them. Learned counsel for the appellants have submitted that appellant Ramesh Kumar alias Chillu has undergone one year and more than two months of actual sentence whereas appellant Mannu has undergone more than one year of actual sentence. So far as appellant Shunty alias Rahul is concerned, he has undergone one year and more than three months of actual sentence. Learned counsel have further submitted that the appellants are the only bread earners of their families.

Learned counsel for the complainant, on instructions from the complainant, who is present in person in the Court, has submitted that complainant has no objection if the sentence qua imprisonment of the appellants, is reduced to the period already undergone by them.

Accordingly, conviction of the appellants under Section 307, 326, 324, 333, 353, 34 IPC is maintained. However, sentence qua imprisonment of the appellants is reduced to the period already undergone by them. Appellants, who are in custody, be set

at liberty forthwith, if not required in any other case.

Both the appeals stand disposed of accordingly.

(SABINA)
JUDGE

February 12, 2015

Gurpreet