

CRM No.5019 of 2015 IN/AND
CRA-S-600-SB of 2015

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.5019 of 2015 IN/AND
CRA-S-600-SB of 2015 (O&M)
Date of Decision:11.5.2015

Sandeep Singh alias Deepu

....Appellants

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. L.S. Mann, Advocate for the appellant.

Mr. P.S. Garewal, DAG, Punjab for the respondent.

NAVITA SINGH, J.

1. Custody certificate has been submitted by the State counsel, which is of 9.3.2015 and by that time the appellant had remained in custody for three months and eleven days. Two months and two days have passed after that. The custody of the appellant now is five months and thirteen days out of the total sentence of six months.

2. At this stage, counsel for the appellant submits that instead of considering the request for suspension of sentence, the main appeal may be taken up and the appellant may be sentenced to the period already undergone. In such event, obviously the appellant does not challenge the conviction part.

3. The appellant was sentenced to rigorous imprisonment for the period of six months and to pay fine of Rs.5000/-. In default of payment of fine, further imprisonment of one month was awarded.

4. The appeal against conviction is, therefore, dismissed and the period of substantive sentence of imprisonment is reduced to the period already spent in custody subject to the condition that he shall pay fine of

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Rs.5000/-. He shall be released as and when fine is deposited or on completion of the original sentence, whichever is earlier. If fine is not paid, he shall undergo the imprisonment of one month in lieu of the fine as well.

(NAVITA SINGH)
JUDGE

11.5.2015
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