

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 1561 of 2005 (O&M)

Date of decision : December 02, 2015

Kabul Singh,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ajay Pal Singh Srawaan, Advocate
for the petitioner.

Mr. APS Gill, DAG Punjab

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

This revision petition has been filed against the concurrent conviction of the petitioner under Section 420 of the IPC. Allegations were that the petitioner entered into an agreement to sell some land with the complainant which was not owned by him. Both the Courts below relied upon the agreement to hold that the petitioner had represented that he was the owner and did not disclose that the land was owned by the State of Punjab.

Counsel for the petitioner has made a limited argument. He has stated that he would not press this petition on merits but there are grounds of reduction in sentence. As per him, actually the complainant knew that he

was paying only for possession and though he cannot utilize oral testimony to contradict the document yet in his cross-examination, PW4-Patwari Pritam Singh had admitted that the rate of similar land at the relevant time was ₹ 3.60 lacs per acre, whereas the complainant had agreed to purchase the land @ ₹ 1,23,500/- per acre. As per the learned counsel, the fact that the complainant had paid discounted price would justify some reduction in the sentence.

Learned AAG Punjab has not been able to dispute this factual assertion. In these circumstances, there is some weight in the argument of counsel for the petitioner. Consequently, while dismissing this revision petition, I reduce the sentence to 1½ year rigorous imprisonment, and sentence of fine will remain the same.

December 02, 2015
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(AJAY TEWARI)
JUDGE