

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRR No. 64 of 2005

Date of Decision:12.01.2015

Niranjan Singh and another

.....Petitioners

versus

State of Haryana

.....Respondent

Coram: Hon'ble Mrs. Justice Sabina

Present: Mr.Gorakh Nath,Advocate
for the petitioners
Ms.Dimple Jain,Assistant
Advocate General, Haryana

Sabina, J.

Petitioners had faced trial in FIR No. 194 dated 16.6.1993 registered at Police Station Ratia under Sections 419/465/468/471/120-B of the Indian Penal Code, 1860 ('IPC' for short). Trial Court vide judgment/order dated 10.1.2003 convicted and sentenced the petitioners for commission of offence punishable under Sections 468/120-B IPC. Appeal filed by the petitioners against the said judgment/order of their conviction and sentence was dismissed by the appellate Court vide order dated 15.12.2004. Hence, the present petition by the accused-petitioners.

During the course of arguments, learned counsel for the petitioners has not challenged the conviction of the petitioners under Sections 468/120-B IPC as ordered by the Courts below but

has submitted that the sentence qua imprisonment of the petitioners be reduced to the period already undergone by them. Learned counsel for the petitioners has submitted that petitioner No.1 is now aged more than 70 years, whereas, petitioner No.2 is aged more than 80 years. Petitioner No.2 is the brother of the complainant. Complainant had filed a civil suit qua the property in dispute. During the pendency of the suit, parties had amicably settled their dispute and Bachan Kaur, complainant withdrew the suit on 15.4.1993 and order (Exhibit D2) in this regard was passed by the Court .

Keeping in view the submissions made by learned counsel for the petitioners, it would be just and expedient to reduce the sentence qua imprisonment of the petitioners to the period already undergone by them.

Accordingly, the conviction of the petitioners under Sections 468/120-B IPC is maintained. However, the sentence qua the imprisonment of the petitioners is reduced to the period already undergone by them.

Petition stands disposed of accordingly.

**(Sabina)
Judge**

January 12, 2015
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