

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR-1517-2006(O&M)
Date of decision : 12.08.2015

Mehma Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Rajiv Verma , Advocate for the petitioner.

Mr.APS Gill, AAG, Punjab.

1. Whether Reporters of local papers 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 has been filed against concurrent conviction of the petitioner under Section 61(1)(c) of the Punjab Excise Act, 1914 wherein he was sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.5000/-.

Learned counsel for the petitioner has very fairly stated that he would not press this revision petition on merits but the fact of the matter is that the incident took place almost 15 years ago, the petitioner has been facing the ordeal of these proceedings since then and it would not be in the interest of justice to send him back to jail at this stage. He has also brought out that there is no other case against the petitioner. Learned DAG has placed on record custody certificate by way of affidavit of Gurcharan Singh Dhaliwal, Deputy Superintendent, Central Jail, Patiala as per which the

petitioner has undergone 24 days of actual sentence out of a total sentence of one year and no other case is pending or decided against him.

I find merit in the argument of learned counsel for the petitioner and the limited prayer made by him and keeping in view the entire history as brought out above, dismiss this revision petition. However, his sentence is reduced to what he has already undergone plus a further fine of Rs. 10,000/-. In case the fine is not deposited, the revision petition will be deemed to have been dismissed.

Since the main case has been decided, the Criminal Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

August 12 , 2015
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