

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

CRR No.1085 of 2007.
Decided on:-20.11.2015.

Sukhdev Singh and others

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Ashish Gupta, Advocate
for the petitioners.

Mr. R.S. Nain, AAG, Punjab.

HARI PAL VERMA, J. (ORAL)

The petitioners have filed the present revision petition questioning the order dated 31.5.2007 passed by learned Additional Sessions Judge, Faridkot whereby their appeal against the judgment dated 9.1.2007 passed by learned Additional Chief Judicial Magistrate, Faridkot, was dismissed.

Learned trial Court vide judgment dated 9.1.2007 has convicted and sentenced the petitioners, namely, Sukhdev Singh, Bohar Singh and Tota

Singh as under:

U/S	Sentence	Fine	In default
325 IPC	RI one year	Rs.1000/-	RI one month (each)
148 IPC	RI six months	-----	-----
452 IPC	RI one year	Rs.1000/-	RI one month (each)
323 IPC	RI six months	-----	-----

However, all the substantive sentences were ordered to be run concurrently.

Learned counsel for the petitioners contends that the petitioners would be satisfied in case their sentence is reduced to the period already undergone by them. He submits that against the awarded sentence of one year by the learned Magistrate and maintained by learned Additional Sessions Judge, the petitioners have remained in custody for 3½ months and there is no other case pending against them.

Learned State counsel does not dispute the custody of the petitioners.

I have heard learned counsel for the parties.

Taking into consideration that the present dispute is between two real brothers and the fact that the petitioners are facing the agony of trial since the year 1999, the instant petition is dismissed with a modification in the order of sentence to the effect that the sentence awarded to the

petitioners is reduced to the period already undergone by them.

However, it is made clear that in order to compensate the injured Jeon Singh and Chinder Kaur, the fine imposed by the trial Court is enhanced to Rs.15,000/- i.e. Rs.5,000/- each. This amount of Rs.15,000/- shall be disbursed to both the injured, namely, Jeon Singh and Chinder Kaur in equal shares. The petitioners shall deposit the amount of compensation with the trial Court within one month from today failing which they shall be liable to undergo imprisonment as awarded by the trial Court and affirmed by the lower appellate Court. After deposit of the amount of compensation, the trial Court shall disburse the same to the aforesaid injured persons forthwith.

November 20, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE