

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR no. 2375 of 2006 (O&M)
Date of Decision : 13.05.2015

Om Parkash

....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. Udit Garg, Advocate for
Mr.Vikas Mor, Advocate for the petitioner

Mr. P.S.Chauhan, Addl. AG, Haryana with
Mr. Himmat Singh, AAG, Haryana

MAHESH GROVER, J.

The petitioner impugns his conviction and sentence awarded by the Courts below. The Trial Court convicted the petitioner for a period of one year for violating the provisions of Section 411 IPC which was affirmed by the appellate Court.

Allegations against the petitioner are that he was found in possession of one buffalo and a calf which were alleged to be stolen.

Learned counsel for the petitioner contends that he does not dispute the conviction on merits but confines his prayer to reduction of sentence considering the fact that alleged incident pertains to year 2004 and proceedings have been pending against him since last 11 years and now he is fairly advanced in years. It has been stated and not disputed by the learned State counsel that petitioner has already undergone imprisonment for 2 months and 7 days out of the total substantive sentence of 1 years awarded to him.

On due consideration of the matter and noticing the fact that the occurrence took place in the year 2004 and also the fact that the petitioner has faced criminal prosecution since 2004 and that by now he is fairly advanced in years, prayer of learned counsel for the petitioner is accepted. It is ordered that the sentence of the petitioner is reduced to that of already undergone.

Disposed of in above terms.

May 13, 2015
rekha

(Mahesh Grover)
Judge