

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRR No. 2582 of 2006 (O&M)
Date of Decision:15.01.2015

Uma Dutt and others

.....Petitioners

versus

State of Haryana

.....Respondent

Coram: Hon'ble Mrs. Justice Sabina

Present: Mr.B.R.Vohra,Advocate
for the petitioners
Mr.Rajiv Doon,Assistant
Advocate General, Haryana

Sabina, J.

Petitioners had faced trial in FIR No. 240 dated 31.10.1992 registered at Police Station Jatusana, District Rewari under Sections 323/324/326/34 of the Indian Penal Code, 1860 ('IPC' for short). Trial Court vide judgment/order dated 30.5.2001 convicted and sentenced the petitioners for commission of offence punishable under Sections 323/324/326 read with Section 34 IPC. Appeal filed by the petitioners against the said judgment/order of their conviction and sentence was dismissed with the modification in reducing the quantum of sentence from three years rigorous imprisonment to one year rigorous imprisonment under Section 326 IPC by the appellate Court vide order dated 07.12.2006. 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 323/324/326 read with Section 34 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 further submitted that the occurrence in the present case has,allegedly, taken place in October,1992 and the petitioners are facing the criminal proceedings since then. Petitioners have not misused the concession of bail and are not previous convicts.

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 323/324/326 read with Section 34 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 15,2015
arya