

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

Crl. Revn. No. 804 of 2007 (O&M)  
Date of decision : 02.02.2015

Mohd. Jahid .....Petitioner  
versus

State of Haryana ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vivek Lamba, Advocate  
for the petitioner

Mr. Vikas Chopra, DAG, Haryana

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RITU BAHRI , J. (Oral)

Challenge is to the judgment of conviction and order of sentence dated 31.07.2006 passed by the Judicial Magistrate IInd Class, Faridabad, whereby the petitioner was convicted under Section 411 IPC and sentenced to undergo simple imprisonment for a period of one year and a fine of Rs. 500/-; as well as judgment dated 01.05.2007 passed by the Additional Sessions Judge, Faridabad, affirming the conviction and sentence passed by the trial Court.

This appeal was admitted vide order dated 08.05.2004 and the interim bail was granted to the petitioner on 06.07.2007.

Learned counsel for the petitioner has not challenged the judgment of conviction passed by the Court below. However, he has submitted that the petitioner is first

time offender. He has been facing the agony of criminal prosecution for about sixteen years. Moreover, out of the sentence of one year imposed upon him, he has already undergone a period of more than 02 months and 09 days, as per custody certificate dated 20.01.2015 and no case is pending against him, thus, the remaining substantive sentence of imprisonment of the petitioner be set aside.

Learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner. However, it has been mentioned therein that there is no other criminal case pending against him.

Taking into consideration the totality of the circumstances, this Court is of the view that ends of justice would be best met if the substantive sentence of imprisonment of the petitioner is reduced to that already undergone by him.

The revision is dismissed on merits. However, the conviction of the petitioner under Section 411 of the IPC is maintained. His substantive sentence of imprisonment is reduced to that already undergone by him.

02.02.2015  
G Arora

(RITU BAHRI)  
JUDGE