

CRR-989-2007

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRR-989-2007

Date of Decision: 19.08.2015

Bhagwant Singh @ Bittu @ Billu

...Petitioner

Versus

State of Punjab

...Respondent

Coram: Hon'ble Mrs. Justice Sabina

Present: *Mr. Veneet Sharma, Advocate,
for the petitioner.*

Mr. J.S. Sekhon, AAG, Punjab.

**

Sabina, J.

Petitioner had faced trial in FIR No.101 of 2001 under Section 61 (1)(a) of the Punjab Excise Act, 1914 (for short the 'Act') registered at Police Station Lopoke.

Trial Court vide judgment/order dated 24.10.2006 ordered the conviction and sentence of the petitioner qua commission of offence punishable under Section 61 (1)(a) of the Act. The appeal filed by the petitioner against the order of his conviction and sentence was dismissed by the Appellate Court vide order dated 26.04.2007. Hence, the present petition.

During the course of arguments, learned counsel for the petitioner has not challenged the conviction of the petitioner under Section 61 (1)(a) of the Act, but has

submitted that the sentence qua imprisonment of the petitioner be reduced to the period already undergone by him.

Learned counsel for the petitioner has submitted that the petitioner has undergone more than two months of actual sentence out of six months. Learned counsel has further submitted that the petitioner is facing the criminal proceedings since the year 2001 and is the only bread earner of the family and is not involved in any other criminal case.

Keeping in view the submissions made by the learned counsel for the petitioner, it would be just and expedient to reduce the sentence qua imprisonment of the petitioner to the period already undergone by him.

Accordingly, conviction of the petitioner under Section 61 (1)(a) of the Act , as ordered by the Courts below is maintained. However, sentence qua imprisonment of the petitioner be reduced to the period already undergone by him.

Petition stands disposed of accordingly.

August 19, 2015
kapil

(SABINA)
JUDGE