

CRR-1051-2015

[1]

In the High Court of Punjab and Haryana at Chandigarh

CRR-1051-2015 (O&M)

Date of decision:

04.09.2015

Gurlal Singh and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. A.K. Khunger, Advocate
for the petitioners.

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

SABINA, J.

Petitioners had faced the trial qua commission of offence punishable under Sections 326, 324, 323 and 34 of the Indian Penal Code, 1860 ('IPC' for short) in FIR No.42, dated 24.03.2008, registered at Police Station Khkuian Sarwar. Trial Court vide judgment/order dated 01.08.2003 ordered the conviction and sentence of the petitioners under Sections 326, 324, 323 and 34, IPC. Aggrieved against the said judgment/order of his conviction and sentence, petitioners preferred an appeal and the same was dismissed

CRR-1051-2015

[2]

by the Appellate Court vide order dated 18.02.2015. Hence, the present petition by the petitioners.

During the course of argument, learned counsel for the petitioners has submitted that he does not challenge the conviction of the petitioners under Sections 326, 324, 323 and 34, IPC but has submitted that sentence qua imprisonment of the petitioners be reduced to the period already undergone by him. Learned counsel has further submitted that it was a case of cross version where both the sides have suffered injuries. Grievous injury on the person of injured Bahal Singh was on the left lower leg. In both the cases, accused were convicted of the charges framed against them. In the version registered at the instance of the petitioners, accused were ordered to be released on probation. Petitioners have already undergone more than 6½ months out of actual sentence. Petitioners are not previous convicts and are the only bread earner of their family.

Keeping in view the facts and circumstances of the present case, it would be just and expedient to reduce the sentence qua imprisonment of the petitioners to the period already undergone by them.

Accordingly, conviction of the petitioners under Sections 326, 324, 323 and 34, IPC is maintained. However,

CRR-1051-2015

[3]

sentence qua imprisonment of the petitioners is reduced to the period already undergone by them. Petitioners, who are in custody, be set at liberty forthwith, if not required in any other case.

Petition stands disposed of accordingly.

September 04, 2015

kapil

**(SABINA)
JUDGE**