

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR no. 1193 of 2015(O&M)
Decided on :10.07.2015

Darshan Singh @ Phula and another

....Petitioner(s)

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr.P.S.Sekhon, Advocate for the petitioners

Mr. Jaspreet Singh Sekhon, AAG, Punjab

MAHESH GROVER, J

This revision petition is directed against the orders dated 21.8.2013 and 4.3.2015 passed by learned Trial Court and Appellate Court respectively.

According to the incident reported by the complainant the petitioners barged into his shop demanding cold drinks and cigarette while in inebriated condition. Refusal by the complainant led to violence where the petitioners vandalized his shop causing acute loss. The Trial Court and the Appellate Court convicted the petitioners to undergo RI for a period of 1 year.

Without adverting to the merits of the case, learned counsel for the petitioners contends that petitioner no.1 Darshan Singh has undergone 4 months and 24 days while petitioner no.2 Kala Singh has undergone 5 months and 8 days out of the total substantive sentence of 1 year awarded to them. He thus contends that some leniency be given in the sentence.

Learned counsel for the respondents has opposed the prayer of

the petitioners to state that there are two convictions under NDPS Act against petitioner no.2 while in another FIR under NDPS Act he is on bail. In so far petitioner no.1 Darshan Singh is concerned there is an FIR no.22 dated 7.2.2015 registered against him under Sections 458, 323, 427, 148, 149 IPC at Police Station City Sunam.

The pendency of other cases against the petitioners indicates that they are habitually in conflict with law and therefore, no leniency can be shown to them in this regard. Hence, revision petition is held to be without any merit and the same is hereby dismissed as merits of the case have not been questioned.

July 10, 2015
rekha

(Mahesh Grover)
Judge