

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR no. 1200 of 2015(O&M)
Decided on :21.07.2015

Raj Kumar

....Petitioner(s)

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. Naveen Sharma, Advocate for the petitioner

Mr. P.J.S.Hundal, AAG, Punjab

MAHESH GROVER, J

This revision petition is directed against the order dated 17.3.2014 by which the petitioner has been convicted and sentenced to undergo RI for a period of one year and to pay a fine of Rs.1000/- and in default of payment of fine further undergo SI for 30 days in case FIR no. 64 dated 5.9.2009 registered under Sections 61, 1, 14 of Punjab Excise Act at Police Station Division no. 4 Ludhiana.

The petitioner was found to be in possession of 144 bottles of liquor without any authorization leading to registration of case against him.

At the outset learned counsel for the petitioner contends that he does not wish to dispute the impugned order on merits but confines his prayer to reduction in sentence by a lenient consideration by this Court. He has stated that there is no other case pending against him and neither he has been convicted in any other offence. He further states that he has already undergone imprisonment for a period of 4 months out of the total substantive sentence of 1 year awarded to him.

Custody certificate of the petitioner has also been produced on record which indicates that there is no other conviction to the credit of the petitioner and neither he is involved in any other case.

If that be so then noticing the facts that petitioner has faced prosecution since 2009 and 6 years have elapsed and further the fact that he is not involved in any other case as also the fact that he has undergone 4 months imprisonment out of the total sentence of 1 year awarded to him, I deem appropriate to reduce the sentence of the petitioner to that of already undergone by him but enhance the fine component to Rs. 10,000/-. Ordered accordingly.

Disposed of in above terms.

July 21, 2015
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(Mahesh Grover)
Judge