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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR No.131 of 2015 (O&M)

Date of decision: February 02, 2015

Karma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Prashant Bansal, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG Punjab.

SABINA, J

Petitioner had faced trial in FIR No.83 dated 20.11.2007, under Sections 498-A, 427, 34 of Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Ghanour, Rajpura.

Trial Court vide judgment/order dated 08.08.2014 ordered the conviction of the petitioner qua commission of offence punishable under Section 498-A IPC. The said conviction and sentence of the petitioner were upheld by the Appellate Court in Appeal vide order dated 03.01.2015. Hence, the present petition.

I have heard learned counsel for the petitioner and have gone through the record available on file carefully.

During the course of arguments, learned counsel for the petitioner has not challenged the conviction of the petitioner under Section 498-A IPC, 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 during trial, PW5 Iqbal Mohammad, brother of the complainant and PW11-Shanti, mother of the complainant had admitted in their cross-examination that complainant had got remarried in the year 2010. Petitioner is not a previous convict.

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 498-A IPC is maintained. However, sentence qua imprisonment of the petitioner be reduced to the period already undergone by him. Petitioner who is in custody, be set at liberty forthwith, if not required in any other case.

Petition stands disposed of, accordingly.

**(SABINA)
JUDGE**

February 02, 2015

m.singh