

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.1362 of 2014 (O&M)
Date of Decision: January 13, 2015

Tarsem Lal

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.O.P.Kamboj, Advocate
 for the petitioner.

Mr.Gurinderjit Singh, Deputy Advocate General, Punjab
 for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this revision petition under Section 401 Cr.P.C. against State of Punjab respondent challenging the impugned judgment dated 01.04.2014 passed by learned Addl. Sessions Judge (ASJ-III) Ferozepur.

It is mainly stated in the petition that vide impugned judgment dated 05.10.2010 passed by learned Sub Divisional Judicial Magistrate, Zira, petitioner along with other co-accused namely Prithpal Singh and Jugraj Singh were convicted and sentenced. Petitioner Tarsem Lal was sentenced to undergo rigorous imprisonment for a period of 2½ years and to pay a fine of ₹1000/- and in default of payment of fine, to undergo rigorous imprisonment for a period of one month each under Sections 420, 468, 471 and

120-B IPC. Aggrieved from the above judgment, an appeal was filed which was also dismissed vide impugned judgment dated 01.04.2014 passed by learned Addl. Sessions Judge (ASJ-III), Ferozepur.

It is also stated in the petition that judgments passed by learned SDJM, Zira and learned Addl. Sessions Judge, Ferozepur, are liable to be set aside.

At the time of preliminary hearing, learned counsel for the petitioner did not contest the judgment of conviction passed by learned Courts below and restricted his claim only to quantum of sentence and notice of motion was issued.

Today, again learned counsel for the petitioner prayed that sentence imposed upon the petitioner may be reduced.

Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the allegations against the present petitioner is that he recommended name of two persons namely Gurmit Singh and Jaswant Singh for granting loan to them. Kulwant Singh was Ex-Secretary. Prithpal Singh later on taken the charge of Inspecting Officer but the case was initiated by Tarsem Lal present petitioner. The conspiracy and connivance has been attributed to the present petitioner along with other accused Prithpal Singh and Jugraj Singh.

The petitioner has already undergone more than nine

months of actual sentence till date and has earned remission of one month and twenty days till 24.10.2014. The petitioner is now more than 72 years of age and he is first offender and the loan was sanctioned when the other accused was Inspector Incharge.

Keeping in view the facts and circumstances of the present case and in view of the fact that petitioner is suffering from the criminal proceedings for the last about eighteen years, the sentence imposed upon the petitioner is reduced and he is directed to undergo rigorous imprisonment for a period of one year and three months each under Sections 420, 468, 471 and 120-B IPC instead of 2½ years. However, the sentence of fine and sentence in default shall remain the same. All the sentences are ordered to run concurrently.

With the above modification in the sentence, finding no merit in the present petition, the same is dismissed.

January 13, 2015
Vgulati

(INDERJIT SINGH)
JUDGE