

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. 1941 of 2015

Date of decision : 02.11.2015

Sanjay and another

..... Petitioners

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ajay Ghangas, Advocate
for the petitioners

Mr. G.S. Salwara, DAG Haryana

ANITA CHAUDHRY, J.

Through this petition, the revisionist have challenged their conviction under Section 193 IPC. The conviction was recorded in Criminal Complaint No. 120 of 2012. The Chief Judicial Magistrate Ist Class, Panipat vide order dated 31.10.2014 convicted and sentenced the petitioners to undergo rigorous imprisonment for a period of 1 year along with a fine of Rs. 1000/- each and in default of payment of fine to further undergo rigorous imprisonment for a period of six months.

The judgment was affirmed by the Addl. Sessions Judge, Panipat vide order dated 14.05.2015.

Aggrieved with both the verdicts, the accused have preferred the instant petition.

I have heard learned counsel for the petitioners as well as learned State counsel appearing for the State of Haryana.

During the course of arguments, learned counsel for the

petitioner submitted that he confines his submissions only to the quantum of sentence.

Learned counsel for the petitioners contends that the petitioners had remained in custody for about 5 ½ months out of 1 year and their sentence may be reduced to the period already undergone by them. He further contends that petitioners had already paid the fine.

The State counsel has opposed the prayer and submits that the Courts below have already taken a lenient view.

As the prayer made by the petitioner is restricted only to the sentence, therefore, the findings recorded by the Courts below convicting the petitioner are affirmed.

Considering the fact that the the petitioners have remained in custody for about 5 ½ months out of 1 year and have suffered agony of trial as well as appeal before the appellate Court, I am of the view that ends of justice would be met in case the sentence awarded to the petitioners under Section 193 IPC is reduced to already undergone.

The revision petition is disposed of.

November 02, 2015

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**(ANITA CHAUDHRY)
JUDGE**