

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

CRR No. 223 of 2015(O&M)

Date of Decision :23.02.2015

Ummar Mohd.

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sarfraj Hussain, Advocate
for the petitioner.

Mr.Ashish Yadav, Addl.AG, Haryana.

- i)Whether Reporters of local papers may be allowed to see the judgment?
- ii)To be referred to the Reporters or not?
- iii)Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This petition has been filed against concurrent conviction of the petitioner under Sections 419, 467, 468 read with section 120-B IPC. The sentence awarded to him is as under:-

Sr.No.	Under Section	Sentence awarded	In default
1.	419 read with Section 120-B IPC	1 year with fine of Rs.500/-	R.I. for10 days
2.	467 read with Section 120-B IPC	2 years with fine of Rs. 500/-	R.I. for10 days
3.	468 read with Section 120-B IPC	2 years with fine of Rs. 500/-.	R.I. for10 days

All the sentences were ordered to run concurrently.

The allegation against the petitioner was that he impersonated as some other person and applied for loan from Land Development Bank,

CRR No. 223 of 2015(O&M)

-2-

Ferozepur. The case was proved by documentary evidence since on the mortgage deed, the photographs and thumb impression of the petitioner were found and not of the owner of the land. In these circumstances though both the courts found the petitioner guilty of the offences learned counsel has argued that the complainant had turned hostile. That may be so, but once crime of the petitioner has been proved by way of documentary evidence the mere fact that he was able to win over the complainant would not entitle him to acquittal. In the end learned counsel prayed that the sentence is on the higher side and there is scope for reduction thereof.

I find that both the Courts have considered all the factors and have convicted the petitioner to two years imprisonment under Sections 467 and 468 read with Section 120-B IPC and one year imprisonment under Section 419 read with Section 120-B IPC and have ordered all the sentences to run concurrently.

In these circumstances I find no scope of any further reduction.

Petition is dismissed.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

February 23, 2015
sunita