

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Revision No. 238 of 2015

Date of decision : March 19, 2015

Devinder Singh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Aman Pal, Advocate, for the petitioner

Mr. CS Brar, DAG Punjab

Fateh Deep Singh, J. (Oral)

The lone contention raised on behalf of the revisionist-convict is prayer for releasing the petitioner on probation. It is not disputed by the State that it was on 27.11.2008, police party headed by HC Ashok Kumar accosted in the area of Bus Stand Dera Bassi, car bearing registration No. HR-06-5247 make Santro being driven by the revisionist-convict Devinder Singh was stopped and on personal search led to the recovery of 15 boxes each containing 12 bottles country made liquor make Rashila Santra.

Upon hearing two sides, the petitioner has been ultimately

convicted for offence under section 61(1)(a) of the Punjab Excise Act, 1914 and sentenced to undergo rigorous imprisonment for one year and to pay fine of Rs 2000/-, in default of payment of fine to further go simple imprisonment for seven days.

As per custody certificate produced by learned State counsel, the petitioner has already undergone total period of 2 months and 29 days upto 18.3.2015. It is not disputed that the petitioner is first convict and sole bread winner of the family and keeping in view the nature of the recovery and to ensure that if remained in jail would expose him to crime and bad elements and by espousing theory of reformation and rehabilitation, it would subserve the ends of justice, if the concession of probation is granted to the petitioner. Accordingly, the petitioner is ordered to be released on probation of good conduct on furnishing probation bond to the satisfaction of learned Trial Court/Duty Magistrate.

With this modification in sentence as aforesaid, the revision petition stands disposed of accordingly.

March 19, 2015
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(Fateh Deep Singh)
Judge