

CRR-3029-2014

[1]

In the High Court of Punjab and Haryana at Chandigarh

CRR-3029-2014

Date of decision: 24.09.2015

Baljinder Kumar @ Binder

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Piyush Sharma, Advocate,
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

Complainant in person.

SABINA, J.

Petitioner had faced the trial under Sections 457 and 511 of the Indian Penal Code, 1860 (*IPC* for short) in FIR No.42, dated 06.08.2010, registered at Police Station Phase 11 Mohali, District Mohali. Trial Court vide judgment/order dated 06.12.2013 ordered the conviction and sentence of the petitioner under Section 457 IPC. Aggrieved against the said judgment/order of his conviction and sentence, petitioner preferred an appeal and the same was dismissed by the Appellate Court vide order dated 07.06.2014. Hence, the present petition by the petitioner.

Learned counsel for the petitioner has submitted that he does not challenge the conviction of the petitioner

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under Section 457 IPC but has submitted that sentence qua imprisonment of the petitioner be reduced. Learned counsel has further submitted that petitioner has undergone more than 10 months of actual sentence out of two years. Petitioner was not a previous convict and is the only bread earner of the family.

Complainant is present in person and has not opposed the submissions made by learned counsel for the petitioner.

Accordingly, conviction of the petitioner under Section 457 IPC is maintained. However, sentence qua imprisonment of the petitioner is reduced from rigorous imprisonment for two years to rigorous imprisonment for one year.

Petition stands disposed of accordingly.

September 24, 2015
kapil

(SABINA)
JUDGE