IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.M No.27172 of 2015 in/and
C.R.R. No.3098 of 2015
Date of Decision : 24.08.2015

Mehal Singh and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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Present : Mr. Gaurav Sharma, Advocate
for the petitioners.

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

CRM-27172-2015

This is an application for condonation of delay of 199 days in filing the revision on the ground that the petitioners having been confined in jail could not prosecute the present revision petition.

For the reasons recorded, the application is allowed subject to all just exceptions. Delay is condoned.

CRR-3098-2015

This revision petition has been filed against the concurrent

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judgments of the Courts below convicting the petitioners under Sections 465, 471, 419 and 120-B IPC and sentencing each of them to undergo rigorous imprisonment of two years.

The allegation against the petitioners was that they all conspired to get one Baldev Singh released on probation by furnishing the security bond in the name of some other person. Admittedly the petitioner No.2 was caught in the very act of furnishing the security bond in the name of one Amarjit Singh and while those bond was being executed it was noticed that the person who was shown as Amarjit Singh was putting a thumb impression whereas in the property documents furnished it was shown that he had signed in English. Immediately he was confronted and he confessed that he was somebody else and that is how the plan to secure the release of Baldev Singh was foiled.

Learned counsel has not been able to point out as to what exculpatory evidence has been ignored or how the approach of the Courts below is vitiated. In the circumstances, I am not persuaded to alter the finding of conviction.

Learned counsel has further urged that all the petitioners are illiterate persons and therefore deserve some leniency in sentencing. I am afraid this argument does not cut much ice. The petitioners had planned a sophisticated operation and therefore leniency is no ground, especially when the Courts below have already considered all these aspects and have concurrently awarded two years sentence to the petitioners which, in my opinion is not at all excessive.

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Consequently, the revision petition is dismissed.

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

(AJAY TEWARI)
JUDGE

August 24, 2015
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