

CRR-3175-2015(O&M)
Date of Decision:17.11.2015

versus

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Ms. Tanushree Gupta, DAG, Haryana.

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This revision has been filed against concurrent conviction of the petitioner for the commission of offence under Section 409 IPC whereby the petitioner was sentenced to undergo rigorous imprisonment for a period of three years and to pay fine of Rs. 5000/- and in default of payment of fine to undergo simple imprisonment for a period of six months.

Learned counsel for the petitioner has argued that he does not dispute this revision on merits but prays that some leniency be shown in the sentence since the petitioner has already undergone imprisonment for a period of more than one year (including remissions). He has further argued that the petitioner is not a previous convict and is the sole bread earner of the family consisting of small children and widowed mother. Learned DAG has argued that keeping in

view the antecedents of the petitioner and the fact that he is not a habitual offender, she has no objection if some leniency is shown in sentence.

Keeping in view the above arguments of learned counsel and the fact that the petitioner has been in custody since February, 2015, I deem it appropriate to reduce his sentence from three years to two years. Ordered accordingly.

Petition stands disposed of.

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

(AJAY TEWARI)
JUDGE

November 17, 2015
sunita