

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

Date of Decision : 06.01.2015

**CRR Nos.3264 to 3275 of 2014 (O&M) and
CRR Nos.3277 to 3294 of 2014 (O&M)**

Nirmal Verma

..... Petitioner

Versus

State of U.T. Chandigarh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. A.D.S. Sukhija, Advocate
for the petitioner.

Ms. Ashima Mor, Standing Counsel
for the U.T., Chandigarh.

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)

All the petitions are connected and are being disposed of by common order since cause of action in all the cases are related. For the sake of convenience the facts are being taken from CRR No.3264 of 2014.

These petitions have been filed against the judgment dated 19.09.2014 passed by the Additional Sessions Judge, Chandigarh, whereby the judgment of conviction and sentence of two years of the petitioner in 30

challans under Sections 420, 120-B IPC passed by the trial Court, has been upheld.

Custody certificate filed in Court by way of affidavit of Amandeep Singh, Deputy Superintendent, Model Jail, Chandigarh is taken on record. As per the said custody certificate, the petitioner has undergone actual sentence of 03 months 16 days out of the total sentence of 2 years.

On 18.12.2014 the following contention was noticed:-

“Learned counsel has argued that without prejudice to her claim the petitioner is ready to deposit a sum of Rs.5 lacs because as per him the total amount involved in all cases was Rs.6.41 lacs and two persons were convicted and two are still proclaimed offenders and the petitioner has undergone 3½ months in custody.”

Today the learned counsel for the petitioner states that in case the petitioner is permitted to deposit Rs.5 lacs he would not press this petition on merits but would only restrict to his prayer for reduction of sentence.

Learned Standing Counsel for the U.T. Chandigarh has very fairly accepted the proposal because as per her at least by this method some money will go to the aggrieved persons.

In this view of the matter, I accept the plea of the petitioner and direct her to deposit a sum of Rs.5 lacs before the trial Court to be paid to all the complainants on pro-rata basis. As regards the prayer of the learned counsel for reduction in sentence, keeping in view the entire factual matrix, I further hold that in case the petitioner deposit a sum of Rs.5 lacs in the aforesaid manner, the revision against conviction is dismissed but the

sentence of the petitioner is reduced to that which she has already undergone and she would be released forthwith. The fine shall remain unchanged.

Petitions stand disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 06, 2015

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**(AJAY TEWARI)
JUDGE**