

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 3389 of 2014
Date of decision: 12.02.2015

Bhupinder Singh and another
.....Petitioners
versus
State of Punjab
.....Respondent

CORAM: Hon’ble Mr.Justice Kuldip Singh

Present: Mr.Paramjit Singh Brar, Advocate for the petitioners

- 1. Whether Reporters of Local Newspapers 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?

Kuldip Singh, J. (Oral)

Challenged in the present revision is the judgment dated 12.8.2014, passed by the learned Additional Sessions Judge, Faridkot, affirming that of the learned Judicial Magistrate 1st Class, Faridkot dated 6.2.2012, vide which the present accused -petitioners were convicted under Sections 326, 326/34 and 324 and sentenced as under:-

	<i>U/section</i>	<i>Sentence</i>
1	326 IPC	Convict Bhupinder Singh is sentenced to undergo rigorous imprisonment for three years & fined Rs.500/- and in default of payment of fine he shall further undergo rigorous imprisonment for 15 days.
2	326/34 IPC	Convict Gurtej Singh is sentenced to undergo rigorous imprisonment for three years & fined Rs.500/- and in default of payment of fine he shall further undergo rigorous imprisonment for 15 days.
3	324 IPC	Convicts are sentenced to undergo rigorous imprisonment for two years & fined Rs.500/- each and in default of payment of fine they shall further undergo rigorous imprisonment for 15 days.

During the course of arguments, learned counsel for the petitioners has confined his prayer to the quantum of sentence only. It has been argued that there was only one injured. Parties are related to each other being cousins. There is no previous conviction against the revisionists. Therefore, the sentence of three years awarded under Section 326 and 326 read with Section 34 is harsh. Similar prayer is made regarding the sentence awarded under Section 324 IPC.

I have gone through the injuries of Gurpreet Singh, as reproduced in the judgment of learned Judicial Magistrate 1st Class, Faridkot. There was only one injury on the head, which was declared grievous. The other injuries are also on the head, face or the '*pinna*'. These injuries were found simple in nature.

Keeping in view the entirety of facts and circumstances, sentence of three years passed under Sections 326 and 326/34 IPC is reduced from three years to two years and under Section 324 is reduced from two years to one year. The remaining part of sentence is maintained.

With above modification, the revision petition is dismissed.

12.02.2015
gk

(Kuldip Singh)
Judge