

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.3487 of 2014 (O&M)

Date of decision: February 9, 2015

Ranjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGHPresent: Mr. Vikas Singh, Advocate,
for the petitioner.Mr. Varun Sharma, AAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner Ranjit Singh has filed this revision petition against the respondent-State of Punjab, under Section 401 Cr.P.C., challenging judgment dated 23.09.2014, passed by learned Additional Sessions Judge (Adhoc), Fast Track Court, Amritsar, dismissing his appeal against the judgment of conviction and order of sentence dated 19.02.2011, passed by learned Judicial Magistrate Ist Class, Amritsar, vide which he has been convicted and sentenced to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.1,000/- each and in default of payment of fine to further undergo rigorous imprisonment for a period of fifteen days for commission of offence punishable under Sections 120-B and 468 IPC, to further undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.2,000/- each and in default of payment of fine to undergo rigorous imprisonment for a period of fifteen days for commission of offence punishable under Sections 467 and 471 IPC.

It is mainly stated in the revision petition that petitioner has been wrongly convicted under Section 467, 468, 471 and 120-B IPC by the learned trial Court vide judgment of conviction and order of sentence dated 19.02.2011. Against the said judgment of conviction and order of sentence, the petitioner had filed an appeal, which has also been dismissed by the learned Appellate Court, vide judgment dated 23.09.2014, which is now under challenge in the instant revision petition.

At the time of preliminary hearing, learned counsel for the petitioner did not dispute concurrent findings of the Courts below regarding conviction. He, however, contended only on the point of reduction of sentence.

Notice of motion only qua quantum of sentence was issued.

Today, learned State counsel has appeared and contested the present petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per the facts of the case, the allegation against the petitioner is that he procured a forged sale deed of the land of Darshan Singh in connivance with co-accused. As per prosecution version, the sale deed was forged one and as per Forensic Science Laboratory report, after comparison of the thumb impression of Darshan Singh, it was found that the thumb impression on the sale deed is different. The FIR in this case has been registered in the year 2001. The petitioner has suffered a lot for the last 14 years from the

protracted criminal trial.

Keeping in view the facts and circumstances of the present case and the facts that the petitioner is first time offender and sole bread earner of his family, the sentence awarded to him is reduced to rigorous imprisonment for a period of 1½ years each under Sections 120-B, 467, 468, 471 IPC. The sentence of fine and the sentence in default of payment of fine shall remain the same.

With the aforesaid modification, the instant petition stands partly allowed.

February 9, 2015
Vgulati

(INDERJIT SINGH)
JUDGE