

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

**CRR No.3500 of 2014 (O&M)
Date of decision : 30.01.2015**

Maan Singh

..... Petitioner

Vs.

State of Punjab

... Respondent

CORAM :- HON'BLE MR. JUSTICE M.M.S.BEDI

Present :- Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. R.S. Nain, AAG, Punjab.

M.M.S.BEDI, J.(ORAL)

The appellant is the father-in-law of Kuljit Kaur. He along with his son has been convicted under Section 498-A and 323 IPC to undergo rigorous imprisonment of 6 months on different counts the complainant having been beaten up and turned out of matrimonial house having been established before the Courts below.

It will not be appropriate for this Court to enter into the exercise of appreciation of evidence in revision. The son of the appellant after undergoing the sentence has been released. The appellant has undergone sentence of imprisonment of 02 months and 12 days. He is stated to be an old man of 70 years not maintaining good health. As he was not present at the time of conviction order passed by the first Appellate Court, he surrendered after order of conviction on 17.11.2014.

Without referring to the merits, this Court is of the considered opinion that having faced trial w.e.f. 2003, the petitioner being father-in-law of the complainant, suffering from old age and ailments, can be granted the benefit of reduction in sentence of imprisonment. The interest of justice would be adequately met in case the petitioner is ordered to undergo rigorous imprisonment for a period of three months under Section 498-A IPC and as well as Section 323 IPC respectively with a total fine of Rs.30,000/-. In case of non-payment of fine, he will further undergo simple imprisonment for two months.

This revision petition is disposed of with the modification in sentence as mentioned hereinabove.

Both the sentences under Section 498-A as well as Section 323 IPC will run concurrently.

Fine, in case, recovered, will be payable to the complainant by issuing notice to her, by the convicting Court.

30.01.2015*Pooja Sharma-I***(M.M.S.BEDI)
JUDGE**