

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

**CRR-3599-2015 (O&M)
Date of decision : 31.10.2015**

Swaran Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. I.P.Singh, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, Addl. AG, Punjab.

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)

This is a revision against the concurrent conviction of the petitioner by the Courts below under Sections 61/1/14 Punjab Excise Act.

Custody certificate by way of affidavit of Gurcharan Singh Dhaliwal, Deputy Superintendent, Central Jail, Patiala has been filed and the same is taken on record. Copy supplied to the counsel opposite.

As per custody certificate it has been clarified that the petitioner was infact to be convicted in FIR No.75 dated 04.08.2008 and not in the FIR No.29 dated 15.03.2009. As per the said certificate now the petitioner has undergone 5 months and 14 days out of total sentence of 8 months.

Learned counsel for the petitioner has argued that he would not press this petition on merits but keeping in view the facts and circumstances of the case the sentence of the petitioner deserves to be reduced which he has already undergone.

The allegations in the FIR were that the petitioner was smuggling 440 cartons of alcohol between Punjab and Haryana. Learned counsel for the petitioner has argued that this is the first offence and the petitioner has learnt his lesson.

I find considerable weight in the arguments. Learned Additional Advocate General has accepted that no other case is pending against the petitioner. Keeping in view the facts and circumstances of the case, I dismiss this revision but reduce the sentence of the petitioner to which he has already undergone during the continuation of the criminal proceedings.

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

October 31, 2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**