

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Revision No.3633 of 2015 (O&M)

.....

Date of decision:9.12.2015

Prem Singh

...Petitioner

v.

State of Haryana

Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. Himmat Singh, Assistant Advocate General, Haryana for
the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this criminal revision petition under Section 401 Cr.P.C. challenging the impugned judgment dated 15.9.2015 passed by the learned Additional Sessions Judge, Rohtak, dismissing the appeal filed by Prem Singh against the impugned judgment and order dated 27/28.1.2015 passed by learned Chief Judicial Magistrate, Rohtak, whereby he has been convicted for the offences under Sections 420, 467, 468 and 471 IPC. He has been sentenced to undergo rigorous imprisonment for three years and to pay a fine of ₹3,000/- and in default of payment of fine to further undergo imprisonment for 20 days for the offences under Sections 467 and 468 IPC each. He has also been sentenced to undergo rigorous

imprisonment for two years and to pay a fine of ₹2,000/- and in default of payment of fine to further undergo imprisonment of ten days for the offences under Sections 420 and 471 IPC each. All the sentences have been ordered to run concurrently. Aggrieved from these judgments, Prem Singh-present petitioner has filed this criminal revision.

At the time of preliminary hearing, learned counsel for the petitioner did not dispute the concurrent findings of the Courts below regarding conviction and only contended on the point of reduction of sentence and notice of motion has been issued qua the quantum of sentence only.

Mr. Himmat Singh, learned Assistant Advocate General, Haryana has appeared on behalf of the respondent-State and contested this revision petition.

I have heard learned counsel for the parties and have gone through the record.

Today, again the leaned counsel for the petitioner only argued the revision petition on the question of reduction of sentence. Learned counsel for the petitioner prayed that in view of the facts and circumstances of the present case a lenient view should be taken against the petitioner, who is first offender and also a responsible aged person. He has good image in the society and the responsibility of his family is upon him. Learned counsel for the petitioner also argued that the petitioner is suffering from the long protracted criminal proceedings since the year 2006.

From the record, I find that the allegation against the present

petitioner is regarding forging the sale deed by changing its boundary and then filing the forged documents before the Police etc.

Keeping in view the facts and circumstances of the present case and the fact that the petitioner is suffering from the long protracted criminal proceedings; is first offender and only bread earner of the family etc., I reduce the sentence of imprisonment of the petitioner. Hence, the petitioner is sentenced to undergo rigorous imprisonment for one year instead of two years for the offence under Section 420 IPC; one year rigorous imprisonment instead of three years for the offence under Section 467 IPC; one year rigorous imprisonment instead of three years for the offence 468 IPC and one year rigorous imprisonment instead of two years for the offence under Section 471 IPC. The fine imposed by the learned trial Court will remain the same. All these sentences shall run concurrently.

With this modification in the reduction of sentence of imprisonment, the criminal revision petition is partly allowed.

December 9, 2015.

(Inderjit Singh)
Judge

hsp