

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 3812 of 2015 (O&M)
Date of decision : October 29, 2015

Azad @ Ajay

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sukhdeep Parmar, Advocate
for the petitioner.

Mr. SS Pannu, DAG Haryana

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 ?**

Ajay Tewari, J (Oral)

This revision petition has been filed against the concurrent conviction of the petitioner under Sections 363/366 of the IPC.

Custody certificate by way of affidavit of Ashok Kumar, Dy. Superintendent, District Prison, Karnal has been filed.

Counsel for the petitioner has argued that he would not press this petition on merits, but considering the fact that the petitioner was convicted under Sections 363/366 of the IPC and has undergone sentence as an under trial for 1 year 3 months and 11 days and now he has been in custody for the last one month after the dismissal of his appeal, his sentence should be reduced to the period which he has already undergone.

In this case, originally the allegation against the petitioner was that he enticed the minor prosecutrix and raped her but the offence of rape was not established. In the facts and circumstances of the case and keeping in view the minority of the petitioner, I feel that the sentence which he has already undergone is sufficient. Consequently, while dismissing this revision petition and maintaining the conviction, sentence of the petitioner is reduced to the period which he has already undergone.

October 29, 2015
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(AJAY TEWARI)
JUDGE