

Crl. Revision No.3878 of 2014

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

Crl. Revision No.3878 of 2014 (O&M)

Date of decision: 19.03.2015

Jagrup Singh alias Jupa Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: - Mr. Harsh Chopra, Advocate, for
Mr. Sanyam Malhotra, Advocate, for the petitioner.
Mr. K.S. Sidhu, Addl. A.G., Punjab.

PARAMJEET SINGH, J. (ORAL)

Present criminal revision has been preferred by the petitioner against judgment dated 01.08.2014 passed by the learned Additional Sessions Judge, Bathinda, whereby an appeal preferred by the petitioner has been dismissed and judgment of conviction and order of sentence dated 04.11.2011 passed by the learned Sub Divisional Judicial Magistrate, Talwandi Sabo, whereby petitioner has been sentenced as under:

<i>“U/s</i>	<i>Imprisonment & fine</i>	<i>In default</i>
<i>458 IPC</i>	<i>R.I. for two years & ₹ 1,000/-</i>	<i>2 months</i>
<i>324 IPC</i>	<i>R.I. for one year & ₹ 500/-</i>	<i>1 month</i>
<i>323 IPC</i>	<i>R.I. for six months”</i>	

All the sentences have been ordered to run concurrently.

I need not dilate upon the facts of this case in detail as the

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same have already been recapitulated in the judgment of the learned Courts below and in view of the ultimate prayer of the petitioner seeking reduction in sentence.

I have heard the learned counsel for the parties and perused the record.

Learned counsel for the petitioner states that he is not pressing this revision on merit and is not challenging the conviction on merit. He is only aggrieved against the sentence part. However, he prays that the sentence of the petitioner be suitably reduced as this criminal trial is hanging on his head like damocle's sword for more than seven years and it should be a sufficient mitigating circumstance to treat him leniently. Counsel for the petitioner has further submitted that the complaint pertains to the year 2008 and since then a period of more than seven years has elapsed. The petitioner has suffered the ordeal for long period. Learned counsel for the petitioner further contends that the petitioner has already undergone more than eleven months (more than one year including remission).

In view of the arguments advanced by learned counsel for the petitioner, which have been noted above, this Court is of the view that no useful purpose will be served by keeping the petitioner behind the bars further as the petitioner faced ordeal for more than seven years. It is a fit case wherein sentence awarded to the petitioner can be reduced to already undergone. Ordered accordingly. The impugned judgments of conviction and orders of sentence and, including default clause, stand affirmed with aforesaid modification. It goes without saying that if the amount of fine is not deposited, the petitioner will serve the remaining

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part of sentence.

With the observations made above, present revision petition is disposed of with a direction that the petitioner be released immediately, if not required in any other case.

(Paramjeet Singh)
Judge

March 19, 2015
R.S.