

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

**CRR No.3963 of 2014 (O&M)
Date of Decision: 29.01.2015**

Sadhu Singh and others

... Petitioners

Vs.

State of Punjab

... Respondent

**CRR No.281 of 2015 (O&M)
Date of Decision: 29.01.2015**

Maheshi Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SABINA

Present: Mr. P.B.S. Goraya, Advocate
for the petitioners (in CRR No.3963 of 2014)

Mr. P.S. Brar, Advocate
for the petitioner (in CRR No.281 of 2015)

Mr. V.P.S. Sidhu, AAG, Punjab.

SABINA, J.

Vide this order, above-mentioned two petitions would be

disposed of as they have arisen out of the same occurrence.

Petitioners had faced trial in FIR No.36 dated 11.04.2005 qua commission of offence punishable under Sections 326, 324, 323, 148, 149 Indian Penal Code (IPC in short). Trial Court vide judgment/order dated 18.07.2012 ordered the conviction and sentence of the petitioners under Sections 323, 324, 326, 148 read with Section 149 IPC. Aggrieved against the said judgment/order of their conviction and sentence, petitioners preferred appeals and the same were dismissed by the Appellate Court vide order dated 05.11.2014. Hence, the present petitions.

Learned counsel for the petitioners have submitted that it is a case of version and cross-version. In fact, fight had taken place between two groups of labour unions. The petitioners union had been granted permit to do labour work in the grain market. In the cross-version, accused had been ordered to be released on probation by the Appellate Court vide judgment dated 04.11.2014. In the cross-version, the conviction was ordered under Section 323, 148 read with Section 149 IPC.

Learned counsel for the petitioners have submitted that they do not challenge the conviction of the petitioners under Sections 326, 323, 324, 148, 149 IPC but have submitted that sentence qua imprisonment of the petitioners be reduced to the period already undergone by them. Petitioners are not previous offenders and are the only bread-earners of their family.

Keeping in view the submissions made by learned counsel for the petitioners, it would be just and expedient to reduce the sentence qua imprisonment to the period already undergone by them.

Accordingly, conviction of the petitioners under Sections 326,

323, 324, 148, 149 IPC is maintained. However, sentence qua imprisonment of the petitioners is reduced to the period already undergone by them. Petitioners who are in custody be set at liberty if not required in any other case.

Petition stands disposed of accordingly.

**[SABINA]
JUDGE**

29.01.2015
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