

231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.4122 of 2014 (O&M)
Date of Decision: January 27, 2015

Kuldeep Rai and others Petitioners

vs.

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Karan Singla, Legal Aid Counsel for the petitioner.
Mr. Nikhil K. Chopra, Deputy Advocate General, Punjab.

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?

Kuldip Singh J.(Oral)

The present revisionists were convicted under Sections 452, 324, 427 and 506 of the Indian Penal Code, 1860 (in short 'IPC') and sentenced by the learned Sub Divisional Judicial Magistrate, Nakodar, vide judgment and order dated 04.09.2013, as under:

S.N.	Offence (IPC)	Imprisonment (R.I.)	Fine (₹) each	In default of fine further imprisonment (R.I.)
1	452	Two years	2000/-	One month
2	324	One year	2000/-	One month
3	427	Six months	----	----
4	506	Six months	----	----

All the sentences were directed to run concurrently.

Aggrieved with the aforesaid judgment and order, the revisionists preferred an appeal before the learned Addl. Sessions Judge, Jalandhar, who vide judgment dated 09.09.2014 reduced the sentence of the revisionists from two years to one year each under Section 452 IPC without altering the findings recorded by the learned Sub Divisional Judicial Magistrate, Nakodar.

Feeling dissatisfied with the judgment dated 09.09.2015, the revisionists have filed the present revision petition.

During the course of hearing, learned counsel for the revisionists pressed the revision only on quantum of sentence.

Learned counsel for the revisionists has argued that one year sentence awarded to the revisionists by the Appellate Court under Section 452 and 324 IPC is on the higher side.

As per judgment of the trial court, Lehmbhar Ram received as many as five injuries. Injury No.1 was on the parieto occipital region of scalp. Injury Nos.2 and 3 were incised wound and remaining two injuries were linear abrasion. All the injuries were found simple in nature.

Keeping in view the entirety of the facts and circumstances, the sentence imposed upon the revisionists under Sections 452 and 324 IPC is reduced from one year to nine months for each section.

With the aforesaid modification, the present revision stands dismissed.

January 27, 2015
sarita

(KULDIP SINGH)
JUDGE