

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

**Crl. Revision No. 790 of 2015 (O&M)
Date of decision : 13.08.2015**

Sukhwinder Singh @ Sonu

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Pardeep Bajaj, Advocate
for the applicant-petitioner.

Mr. Deep Singh, AAG, Punjab.

ANITA CHAUDHRY, J.

This revision petition had been directed against the order of conviction and sentence passed by the Additional Sessions Judge, Patiala dated 19.02.2015 and the judgment dated 27.11.2013, passed by the Judicial Magistrate 1st Class, Rajpura who sentenced the petitioner to the following punishment:-

Under Sections	Rigorous Imprisonment for a period of	Fine	In default of payment of fine S.I. for
419 IPC	1 year	Rs.500/-	1 month
420 IPC	2 years	Rs.500/-	1 month
465 IPC	1 year	Rs.500/-	1 month
466 IPC	2 years	Rs.500/-	1 month

468 IPC	2 years	Rs.500/-	1 month
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At the outset, the counsel for the petitioner had urged that he restricted his prayer only to the quantum of sentence.

Notice was given to the State.

I have heard learned counsel for both the parties.

Learned counsel for the petitioner submits that the petitioner had gone for disposal of a motor vehicle challan in the Court pertaining to one Mantej Singh and he presented himself as Mantej Singh and could not satisfy the Court about his identity. It was urged that the driver was not carrying a driving licence and the driving licence presented had the photograph and it did not match, therefore, a case of cheating was registered and the petitioner had been convicted for impersonation and cheating. It was urged that it is very normal that relatives or friends go for depositing of fine and the petitioner is in custody for over 3 months and a lenient view be taken as the petitioner is very young in age and has suffered enough.

It is not disputed that the case was got registered as the petitioner had appeared for payment of fine in a motor vehicle challan pertaining to Mantej Singh. When the Court doubted the identity, he tried to run away and was caught and a serious view was taken and a FIR was lodged. The petitioner is very young in age. He has his entire career ahead. I am of the view that a lenient view should be taken and therefore, the sentence is

modified and is reduced to the period already undergone. There would be no modification with regard to the fine. In case, the petitioner has deposited the fine, he be released forthwith in this case, if not required in any other case.

With the above modification alone, the revision petition stands disposed.

13.08.2015
sunil

(ANITA CHAUDHRY)
JUDGE