

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

CRR No.826 of 2015

Date of decision : 18.11.2015

Gurmail Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. S. K. Verma, Advocate, for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana

Mr. Gurdarshan Singh, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

This revision petition is directed against the impugned judgment and order of sentence dated 12.06.2014 passed by the learned Sub Divisional Judicial Magistrate, Dabwali as well as impugned judgment dated 23.01.2015 passed by the learned Additional Sessions Judge, Sirsa, whereby the petitioner has been convicted under Sections 323, 324, 34 of the Indian Penal Code (for short 'the IPC').

Vide order dated 06.10.2015, the parties were directed to appear before the learned Sub Divisional Judicial Magistrate, Dabwali, for getting their statements recorded. In compliance thereof, report of Sub Divisional Judicial Magistrate, Dabwali, dated 06.11.2015, has been received, wherein, it has been noticed that the compromise between the parties is genuine, voluntary and reached without any pressure and undue influence.

The learned counsel for the petitioner does not press the present

revision petition on merits and submits that the petitioner has already undergone 1 year and 14 days including remissions, out of the substantive sentence of 3 years, as on 05.10.2015. He further states that the compromise has been effected between the parties. Thus, the learned counsel prays for taking a lenient view on the quantum of sentence imposed by the trial Court.

On the other hand, the learned State counsel opposes the prayer of petitioner and supported the judgment of conviction and order of sentence passed by the trial Court.

I have heard the arguments of the learned counsel for the parties and have carefully gone through the record of the case.

However, keeping in view the report of the Sub Divisional Judicial Magistrate, Dabwali dated 06.11.2015 made in pursuance of the order dated 06.10.2015 passed by this Court regarding the compromise effected between the parties, this Court feels that the petitioner deserves leniency.

In view of the above, the prayer made on behalf of the petitioner regarding reduction of sentence is accepted. The sentence awarded to the petitioner is reduced to the period already undergone.

With the above reduction in the sentence, this revision petition is disposed of.

18.11.2015

ashok

**(JITENDRA CHAUHAN)
JUDGE**