

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

Sr. No.: 235

ANKUR GOYAL  
CHANDIGARH  
I attest to the accuracy and  
authenticity of this document

**Criminal Revision No.1818 of 2009**  
**Date of Decision: December 01, 2016**

Richhpal Singh

..... PETITIONER

*VERSUS*

State of Haryana

..... RESPONDENT

. . .

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

. . .

**PRESENT:** - Mr. Amit Singla, Advocate, for the petitioners.

Mr. Tanuj Sharma, Assistant Advocate General, Haryana.

. . .

**Jaspal Singh, J.**

1. The instant revision petition has been preferred by the petitioner- Richhpal Singh against judgment dated July 08, 2009 passed by learned Sessions Judge, Fatehabad, whereby judgment of conviction dated November 03, 2008 and order of sentence dated November 04, 2008, passed by the Sub Divisional Judicial Magistrate, Ratia, in complaint case under Section 7/16 of the Prevention of Food Adulteration Act, 1954 (for short, 'Act'), has been upheld. The petitioner was convicted and sentenced to undergo Rigorous Imprisonment for a period of six months besides fine to the tune of Rs.2,000/- and in default of payment of fine to

further undergo rigorous imprisonment for one month, under Section 16(1)(a) (i) of the Act.

2. At the very outset of arguments, learned counsel for the petitioner submits that he does not press the petition qua conviction, however, the petitioner be heard only qua quantum of sentence. This Court has also scrutinized the impugned judgment(s) as well as the relevant document(s)/ evidence and is of the considered view that there is no scope for any interference in impugned judgment(s) as far as the conviction of the petitioner under the aforesaid provisions of IPC is concerned. As such, the conviction of the petitioners is upheld.

3. As far as quantum of sentence is concerned, there are mitigating circumstances to take a lenient view in the matter of sentence awarded by the trial court and upheld by the lower appellate court. Apart from the fact that petitioner is facing the agony of protracted trial for a period of approximately 17 years & 8 months after registration of the instant case and is a person from poor strata of society, having wife and one daughter to maintain; is a sole bread winner of the family and only source for livelihood for his old aged parents. Accused – petitioner is also first offender. There is no other case of similar nature, either pending or disposed of, against the petitioner, who had also suffered incarceration for a period of 03 month & 28 days, as is evident from custody certificate dated July 26, 2016. Thus, this Court is of the considered view that a chance be given to the petitioner to reform & improve himself; to become good citizen; and to lead a peaceful & harmonious life.

4. Taking into consideration the aforesaid aspects of the case, though, conviction of the petitioner is upheld but the sentence imposed upon

him by the courts below is reduced to the period already undergone by him,  
with no change in fine clause.

5. With the above modification in sentence, revision petition  
stands dismissed.

**December 01, 2016**  
*Sham/Ankur*

**(Jaspal Singh)**  
**Judge**

**Whether speaking/reasoned** **Yes/No**

**Whether reportable** **Yes/No**