

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No. 1168 of 2016(O&M)
Date of Decision:21.07.2016

Kuldeep Singh and anotherPetitioners

versus

State of Punjab Respondent

CORAM: Hon'ble Mr. Justice Ajay Tewari

Present: Mr.V.B.Aggarwal, Advocate
for the petitioners.

Mr.Ashish Sanghi, DAG, Punjab..

- 1. Whether Reporters of local papers 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?

Ajay Tewari, J. (Oral):

This petition has been filed against concurrent conviction of the petitioners under Sections 120-B and 193 IPC. The trial Court had convicted them under Sections 120-B, 193, 420, 466, 471 IPC but the Appellate Court upheld the conviction under Sections 120-B and 193 IPC. The sentence awarded was as under:-

Under Section	Sentence awarded	In default
120-B IPC	RI for six months and to pay a fine of Rs. 500/-each	Imprisonment for 7 days
193 IPC	RI for three years and to pay a fine of Rs. 2000/-each	Imprisonment for one month

Both the sentences were ordered to run concurrently.

The allegations against the petitioners were that the petitioners

had obtained a decree against the complainant by way of impersonation and were convicted as mentioned above.

Learned counsel appearing for the petitioner has argued that he does not press this petition on merits but both the petitioners are now 85 and 83 years old respectively and have served 11 months out of total sentence of 3 years and prays that the sentence be reduced to that already undergone. Learned DAG has accepted the factual assertion but points out that the offence is very serious. He has further submitted that the petitioner has served 10 months and 20 days in custody whereas petitioner No.2 has served 6 months in custody.

In the circumstances of the present case and keeping in view the old age of the petitioners, while maintaining the conviction, I deem it appropriate to reduce the sentence of both the petitioners to 11 months and 15 days.

With the modification in sentence, the petition is dismissed.

Since the main case has been decided, the Civil Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

July 21, 2016
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