

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 130 of 2016 (O/M)
Date of decision : 14.1.2016

Judgepal Singh @ Juj and others Revisionists

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. L.M. Gulati, Advocate, for the revisionists.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

The revisionists were convicted and sentenced by the learned Judicial Magistrate 1st Class, Amritsar, vide judgment of conviction and order of sentence dated 11.6.2015, as under :-

<u>Sr. No.</u>	<u>Name of accused/ Under Section</u>	<u>Sentence</u>
1.	Judgepal Singh @ Juj 326 IPC	Rigorous imprisonment for three years and to pay fine of Rs. 1000/- in default thereof, to further undergo rigorous imprisonment for two weeks.
	324 IPC	Rigorous imprisonment for two years and to pay fine of Rs. 1000/- in default thereof, to further undergo rigorous imprisonment for two weeks.
	323/34 IPC	Rigorous imprisonment for six months and to pay fine of Rs. 500/-, in default thereof, to

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further undergo rigorous
imprisonment for one week.

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| 2. | Sawinder Singh | Rigorous imprisonment for six months and to pay fine of Rs. 500/-, in default thereof, to further undergo rigorous imprisonment for one week. |
| | 323 IPC | |
| | 326/34 IPC | Rigorous imprisonment for three years and to pay fine of Rs. 1000/-, in default thereof, to further undergo rigorous imprisonment for two weeks. |
| | 324/34 IPC | Rigorous imprisonment for two years and to pay fine of Rs. 1000/-, in default thereof, to further undergo rigorous imprisonment for two weeks. |
| 3. | Major Singh | Rigorous imprisonment for six months and to pay fine of Rs. 500/-, in default thereof, to further undergo rigorous imprisonment for one week. |
| | 323 IPC | |
| | 326/34 IPC | Rigorous imprisonment for three years and to pay fine of Rs. 1000/-, in default thereof, to further undergo rigorous imprisonment for two weeks. |
| | 324/34 IPC | Rigorous imprisonment for two years and to pay fine of Rs. 1000/-, in default thereof, to further undergo rigorous imprisonment for two weeks. |
| 4. | Jatinder Singh | Rigorous imprisonment for six months and to pay fine of Rs. 500/-, in default thereof, to further undergo rigorous imprisonment for one week. |
| | 323 IPC | |
| | 326/34 IPC | Rigorous imprisonment for three |

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years and to pay fine of Rs.
1000/-, in default thereof, to
further undergo rigorous
imprisonment for two weeks.

324/34 IPC

Rigorous imprisonment for two
years and to pay fine of Rs.
1000/-, in default thereof, to
further undergo rigorous
imprisonment for two weeks.

The revisionists preferred an appeal before the learned Additional Sessions Judge, Amritsar, against the judgment of conviction and order of sentence dated 11.6.2015, passed by the learned Judicial Magistrate 1st Class, Amritsar. In the appeal, accused Jatinder Singh @ Jinda was acquitted, whereas the appeal of accused Sawinder Singh, Major Singh and Judgepal Singh @ Juj was dismissed, vide judgment dated 18.11.2015. However, the sentence of imprisonment was modified. The sentence of imprisonment for three years rigorous imprisonment, awarded to the present revisionist Judgepal Singh @ Juj, for the offence under Section 326 IPC, and the sentence of imprisonment for three years rigorous imprisonment, awarded to present revisionists Sawinder Singh and Major Singh, for the offence punishable under Section 326/34 IPC each, was reduced to two years each. The remaining part was kept intact. Similarly, the sentence of imprisonment for two years, passed on the present revisionist Judgepal Singh @ Juj, for offence punishable under Section 324 IPC and the sentence of imprisonment for two years rigorous imprisonment each, passed on

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the present revisionists Sawinder Singh and Major Singh, for offence punishable under Section 324/34 IPC each, was reduced to one year each. The remaining part was kept intact. The sentence of imprisonment, passed on the present revisionist Judgepal Singh @ Juj, for the offence under Section 323 IPC and the sentence of imprisonment, passed on the present revisionists Sawinder Singh and Major Singh, for offence under Section 323 read with Section 34 IPC each, was kept intact.

The learned counsel, on instructions from the present revisionists, contends that the limited prayer is that the revisionists are facing agony of protracted trial since the year 2007 and some leniency in sentence of imprisonment may be shown. It is contended that the grievous injury was on the non vital part of the body. The present revisionists have no previous criminal history.

Heard.

Considering the facts and circumstances and the fact that the injury was on the non vital part, the sentence of imprisonment, passed on the present revisionist Judgepal Singh @ Juj under Section 326 IPC and the sentence of imprisonment, passed on the revisionists Sawinder Singh and Major Singh under Section 326 read with Section 34 IPC, is reduced from two years to 1 year and 3 months, while the sentence of imprisonment, passed under Section 324 read with Section 34 is kept intact and Section

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323 read with Section 34 IPC also remains intact.

With the abovesaid modification, the present revision is
dismissed.

(KULDIP SINGH)
JUDGE

14.1.2016
sjks