

106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRR No.1368 of 2016 (O&M)
Date of Decision: April 07, 2016

Sikandar Kumar
.... Petitioner

vs.

State of Punjab
.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. V.K. Sandhir, Advocate for the petitioner.

1. Whether Reporters of Local Newspapers 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?

Kuldip Singh J.(Oral)

CRM-11538-2016

There is delay of 35 days in filing the present revision petition.

For the reasons mentioned in the application, delay of 35 days in filing the present revision petition is condoned, subject to all just exception.

Application stands disposed of.

Main case

Impugned in the present revision petition is the judgment dated 14.10.2015 passed by learned Addl. Sessions Judge, Amritsar, upholding the judgment dated 28.09.2013 and the order of sentence dated 03.10.2013 passed by learned Chief Judicial Magistrate, Amritsar, vide which the petitioner was convicted and sentenced as under:

Sr. No.	Offence u/s	Sentence	Fine (₹)	In default of payment of fine
1	326 IPC	5 years (R.I.)	2,000/-	3 months (R.I.)
2	324 IPC	3 years (R.I.)	1,000/-	1 month (R.I.)
3	341 IPC	1 month	--	--

All the sentences were directed to run concurrently.

Learned counsel for the petitioner has pressed the present revision only on the point of quantum of sentence.

It has been argued that the petitioner is the only bread winner of the family. There was earlier relationship of the petitioner with the victims, therefore, a lenient view should be taken.

A perusal of the judgment of both the courts below shows that when both the victims were coming on a rickshaw, the petitioner suddenly stopped the rickshaw and made proposal of marriage to one of the victims. When she refused his proposal, he threw acid upon them. One of the victims was unmarried girl of 25 years old and other was married of 35 years old. As a result of the acid attack, the unmarried victim suffered diminished vision on left eye and blurring vision in the right eye. She suffered burn injuries on the face, neck, back and upper part of the chest also. The married victim suffered burn injuries on the right side of face and on the left side of face.

After going through the injuries suffered by both the victims, I am of the view that learned Chief Judicial Magistrate has already taken a lenient view by awarding the sentence of 5 years, which is on the lighter side. No further leniency is possible in this case.

Accordingly, the present revision petition stands dismissed.

(KULDIP SINGH)
JUDGE

April 07, 2016

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