

108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.14 of 2016 (O&M)
Date of Decision: January 29, 2016

Balwinder Singh and others Petitioners
vs.

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. D.S. Pheruman, Advocate for the petitioners.

- 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)

Notice of motion.

Mr. A.S. Kler, DAG, Punjab accepts notice on behalf of the State.

Learned counsel for the petitioners do not challenge the merits of the judgments of two courts below and presses for reduction of sentence only.

The petitioners were convicted and sentenced by the learned Judicial Magistrate 1st Class, Tarn Taran, vide judgment of conviction and order of sentence dated 11.02.2015, which is as under:

Name of the Accused	Offence Punishable u/s	Sentence (R.I.)	Fine (₹)	In default of Fine (S.I.)
Balwinder Singh	148 IPC	1 year	1,000/-	2 months
	323 IPC	6 months	500/-	1 month
	324 r/w 149 IPC	1 year	1,000/-	2 months
	326 r/w 149 IPC	3 years	5,000/-	3 months
	452 IPC	2 years	1,500/-	2 months
	342 IPC	6 months	500/-	1 month

<i>Name of the Accused</i>	<i>Offence Punishable u/s</i>	<i>Sentence (R.I.)</i>	<i>Fine (₹)</i>	<i>In default of Fine (S.I.)</i>
Bittu	148 IPC	1 year	1,000/-	2 months
	323 r/w 149 IPC	6 months	500/-	1 month
	324 IPC	1 year	1,000/-	2 months
	326 r/w 149 IPC	3 years	5,000/-	3 months
	452 IPC	2 years	1,500/-	2 months
	342 IPC	6 months	500/-	1 month
Sonu	148 IPC	1 year	1,000/-	2 months
	323 IPC	6 months	500/-	1 month
	324 r/w 149 IPC	1 year	1,000/-	2 months
	326 IPC	3 years	5,000/-	3 months
	452 IPC	2 years	1,500/-	2 months
	342 IPC	6 months	500/-	1 month
Daljit Singh	148 IPC	1 year	1,000/-	2 months
	323 r/w 149 IPC	6 months	500/-	1 month
	324 IPC	1 year	1,000/-	2 months
	326 IPC	3 years	5,000/-	3 months
	452 IPC	2 years	1,500/-	2 months
	342 IPC	6 months	500/-	1 month

However, in appeal, all the accused were acquitted of the charges punishable under Section 326 IPC by the learned Addl. Sessions Judge, Tarn Taran, vide judgment dated 06.11.2015, whereas the remaining part of the sentence was maintained.

Keeping in view the facts and circumstances of the nature of the injuries, the sentence awarded under Section 452 IPC is reduced from 2 years to 1 year. However, the sentence awarded under the remaining Sections is maintained.

With the aforesaid modifications, the present revision stands dismissed.

January 29, 2016
sarita

(KULDIP SINGH)
JUDGE