

**108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRR No.1458 of 2016 (O&M)
Date of Decision: April 21, 2016**

Shinder Pal @ Soni

.... Petitioner

vs.

The State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Karan Choudhary, 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)

The present revision is directed against the judgment dated 19.03.2016 passed by learned Addl. Sessions Judge, Pathankot, affirming the judgment of conviction and order of sentence dated 09.01.2015 passed by learned Judicial Magistrate 1st Class, Pathankot, vide which the petitioner was convicted for the commission of offence punishable under Section 61(1) c(ii) of the Punjab Excise Act, 1914 and sentenced to undergo rigorous imprisonment for one year and to pay a fine of ₹1,00,000/-, in default thereof to further undergo two months imprisonment.

The fine was reduced by the learned Addl. Sessions Judge, Pathankot from ₹1,00,000/- to ₹5,000/-.

The allegations against the petitioner are that he was found in possession of four plastic cans of illicit liquor, from which 160 bottles of illicit liquor were recovered.

After going through the judgments of both the courts below, it comes out that the guilt of the petitioner was established beyond all reasonable doubts. So far as the sentence is concerned, huge quantity of 160 bottles of illicit liquors were recovered from the petitioner and the sentence already undergone by him during the trial, inquiry or investigation, was set off against the substantive sentence. The fine has also been reduced from ₹1,00,000/- to ₹5,000/- by the learned Addl. Sessions Judge, Pathankot. Therefore, there is no ground to further interfere in the same.

Accordingly, the present revision petition stands dismissed.

April 21, 2016
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(KULDIP SINGH)
JUDGE