

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

**CRM No.16727 of 2016 in/and
CRR No.1594 of 2016
Date of decision : June 01, 2016**

Gulab Singh

..... **Petitioner**

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Teipal Dhull, Advocate for the petitioner.

Ms. Supriya Arora, AAG, Haryana.

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)

CRM-16727 of 2016

Applicant-petitioner seeks suspension of sentence on the medical ground.

Custody certificate along with medical report of the applicant-petitioner has been filed in the Court today and the same is taken on record.

Learned counsel for the applicant-petitioner presses the main revision petition only on the point of quantum of sentence. Therefore, the revision petition is ordered to be taken on Board for hearing.

Main Case

Petitioner Gulab Singh along with co-accused was convicted and sentenced by the learned Chief Judicial Magistrate, Jhajjar, vide judgment of conviction dated 09.05.2013 and order of sentence dated 13.05.2013, which is as under:

<i>Sr. No.</i>	<i>Offence (IPC)</i>	<i>Sentence (R.I.)</i>	<i>Fine (₹)</i>
1	420	2 years	2,000/-

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2	467	5 years	2,000/-
3	468	3 years	2,000/-
4	471	5 years	2,000/-

All the sentences were directed to run concurrently. It was also directed that in default of payment of fine or a part thereof, he shall further undergo imprisonment for one year.

In appeal, learned Addl. Sessions Judge, Jhajjar while maintaining the conviction, sentenced the petitioner as under:

<i>Sr. No.</i>	<i>Offence (IPC)</i>	<i>Sentence (R.I.)</i>	<i>Fine (₹)</i>
1	420	1 year and 6 months	2,000/- (already deposited)
2	467	2 years	2,000/- (already deposited)
3	468	2 years	2,000/- (already deposited)
4	471	2 years	2,000/- (already deposited)

All the sentences were directed to run concurrently.

Learned counsel for the petitioner prays for leniency on the medical ground.

As per allegations levelled against the present petitioner, he prepared forged jamabandi and obtained loan from the bank on two occasions amounting to ₹12,000/- for camel cart and ₹30,000/- for tractor trolley, which have now swollen to ₹1,08,000/-.

Learned counsel for the petitioner states that the said loan has been repaid. It is also stated that as per medical certificate produced by the State, he suffered chest pain with breathlessness and epigastric pain and was taken to the hospital.

Now, he is stable. Petitioner is stated to be 66 years of age. As per custody certificate, he has already undergone actual imprisonment of 5 months and 8 days as calculated up to 31.05.2016.

Keeping in view the nature of the allegations and the health of the petitioner, the sentence of rigorous imprisonment for 2 years under Sections 467, 468 and 471 is reduced to 1 year 6 months each. However, the remaining part of the sentence under the aforesaid sections and other section is maintained.

With the aforesaid modification, the present revision petition stands dismissed.

(KULDIP SINGH)
JUDGE

June 01, 2016
sarita