

**CRM No. 15844 of 2016 in/and
CRR No. 1637 of 2016**

:1:

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

*** * * * ***

**CRM No. 15844 of 2016 in/and
CRR No. 1637 of 2016**

Date of decision : July 8, 2016

*** * * * ***

Kulbhushan

.....Petitioner

Versus

State of Haryana

.....Respondent

*** * * * ***

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

*** * * * ***

Present: Mr. Palvinder Singh, Advocate for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

*** * * * ***

- 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?*

RITU BAHRI, J

The petitioner has come up in the present revision petition against the orders dated 2.2.2016 passed by the Additional Sessions Judge, Yamunanagar at Jagadhri and order dated 4.4.2012 passed by the Chief Judicial Magistrate, Jagadhri, whereby the petitioner, Kulbhushan has been convicted for the commission of offence under Section 498-A IPC and sentenced to undergo simple imprisonment for a period of six months in FIR No. 286 dated 14.5.2005 registered at Police Station City Yamuna Nagar.

Brief stated the facts of the case are that Paramjit Kaur @ Poonam moved complaint in the Court of Illaqua Magistrate against her husband Kulbhushan, her mother-in-law Gian Kaur, since deceased her brother-in-law Ranbir Seth and sister-in-law Ravi Kanta for offence punishable unde Sections 498-A, 406, 506 IPC. As per the complaint, accused used to torture and harass the complainant mentally and physically on account of dowry.

After going through the evidence led by the prosecution, the trial Court acquitted the accused Ranbir and Ravi Kanta of the charges framed against them. The petitioner-Kulbhushan has been convicted for the commission of offence under Section 498-A IPC and sentenced to undergo simple imprisonment for a period of six months

Counsel for the petitioner at the outset does not challenge the conviction on merits and makes a prayer on quantum of sentence. He submits that the age of the petitioner is 59 years and as per the Out Patient Cart, PGI, Chandigarh (Annexure P-1), he is suffering from Diabetes. Moreover, as per the affidavit dated 8.7.2016 filed by the Superintendent Jail, District Jain, Yamuna Nagar, out of six months, the petitioner has undergone 5 months and 5 days of actual sentence.

Keeping in view the medical condition of the petitioner, his prayer is being accepted. The revision petition is allowed and the conviction of the petitioner, Kulbhushan is being reduced to the period that is already undergone.

July 08, 2016
ritu

(RITU BAHRI)
JUDGE