

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.2909 of 2015 (O&M)
Date of Decision: May 02, 2016

Amandeep Singh @ Mothu

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.B.S.Aulakh, Advocate
for the petitioner.

Mr.P.S.Grewal, Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Amandeep Singh @ Mohtu against respondent State of Punjab, challenging the impugned judgment of conviction and order of sentence dated 20.10.2012 passed by learned Sub Divisional Judicial Magistrate, Malerkotla, vide which the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of one year and to pay fine of ₹3000/- and in default of payment of fine, to undergo rigorous imprisonment for a period of fifteen days under Section 377 IPC and also challenging the judgment dated 24.04.2015 passed by learned Addl. Sessions Judge, Sangrur, vide which appeal filed by petitioner was dismissed.

Notice of motion was issued and learned State counsel appeared and contested the petition.

At the time of arguments, learned counsel for the petitioner has not argued anything on merits of this case and only prayed for reduction of sentence imposed upon the petitioner. Learned counsel for the petitioner contended that the petitioner is poor person, first offender and he has already undergone imprisonment of more than ten months.

Keeping in view the facts and circumstances of the present case and the fact that the petitioner is suffering from long protracted criminal proceedings for the last ten years and he has undergone imprisonment of more than ten months out of the total sentence of one year, the sentence of the petitioner is reduced and he is directed to undergo rigorous imprisonment for a period of eleven months instead of one year under Section 377 IPC. However, the sentence of fine and in default sentence will remain the same.

With the above-said modification in the sentence, the present revision petition stands dismissed.

As petitioner Amandeep Singh @ Mothu is on bail, his bail bonds stand cancelled and he is directed to surrender himself before the jail authorities immediately for completing remainder of sentence, failing which the concerned authority shall proceed against him in accordance with law.

May 02, 2016
Vgulati

(INDERJIT SINGH)
JUDGE