

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

CRR No. 2209 of 2016
Date of decision : August 27, 2016

Gurcharan Singh and others,

..... Petitioners

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. OP Kamboj, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Mr. AS Brar, Advocate
for the complainant.

Ajay Tewari, J (Oral)

This revision petition has been filed against the concurrent conviction of the petitioners under Section 420 of the IPC.

Brief facts are that the petitioners had mortgaged certain land to the State Bank of India, Guruharsahai and in connivance with the revenue officials an entry regarding encumbrance was got omitted from the revenue record and ultimately sold the said land to the complainant

who came to know about this fact later-on. Both the Courts below convicted the petitioners under Section 420 of the IPC and sentenced them to undergo RI for 2 years each.

Custody certificates of the petitioners by way of affidavit of Kamalpreet Singh Cheema, Superintendent, District Prison, Sri Muktsar Sahib has been filed. As per the same, the petitioners have undergone sentence of 4 months and 19 days out of total sentence of 2 years.

Counsel for the petitioners has argued that he would not press this petition on merit but the petitioners have learnt a lesson and are ready to pay any compensation which this Court may deem fit for the harassment caused to the complainant but prays that some leniency be shown in the sentence.

Learned Addl. AG Punjab as well as counsel for the complainant have not shown any serious objection to this course of action.

In these circumstances, even while maintaining the conviction of the petitioners and dismissing this petition, the sentence of the petitioners is reduced to the period which they have already undergone. The petitioners are directed to deposit a sum of ₹ 20,000/- each before the trial Court within a period of one month after being

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said amount is not deposited by the petitioners within the stipulated period, this petition shall be deemed to be dismissed.

August 27, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No