

CRR- 2261 of 2016 (O&M)

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

**CRR- 2261 of 2016 (O&M)
Date of Decision: 20.12.2016**

Darshan Ram and others

.....Petitioners

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.L.S.Sekhon, Advocate for
Mr. G.S.Bedi, Advocate
for the petitioners.

Mr. K.S.Pannu, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This revision has been filed against the common order dated 31.05.2016 passed by Additional Sessions Judge, Sangrur whereby the appeal against the judgement of conviction filed by the petitioners was partly accepted and the order dated 13.11.2013 passed by JMIC, Sangrur, convicting the petitioners under Sections 452, 325/149 and 323/149 IPC has been modified and punishment awarded to the petitioners reduced to 2 years rigorous imprisonment.

Custody certificates by way of affidavit of Hardeep Singh, PPS, Superintendent, District Jail Sangrur have been filed and the same are taken on record. Copies supplied to the counsel opposite. As per the custody certificates the petitioners have undergone actual sentence of 05 months and

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29 days out of the total sentence of 02 year and no other case is pending against them.

After arguing for some time, learned counsel for the petitioners states that he does not press this petition on merits but there may be some scope of reduction in sentence. As per him, the petitioners and the complainant are close relatives and sudden incident has occurred at the spur of the moment. None of the petitioners has any criminal record and some of them are youngsters. These facts are not disputed

In my considered opinion, these factors would justify a reduction in the sentence. Consequently, the revision against the conviction is dismissed but the sentence of the petitioners is reduced to 09 months subject to payment of Rs. 25000/- each as compensation to the complainant to be deposited in the trial Court within two months from the release of the petitioners. The trial Court shall disbursed the said amount to the complainant forthwith. In case the amount is not deposited in the trial Court within two months from the release of the petitioners, the petition shall be deemed to the dismissed.

Since the main case has been decided, the Criminal Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

20.12.2016
anuradha

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No