

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRR-2350-2016 (O&M)  
Date of decision: November 8, 2016

Sukhwant Singh @ Sukhdev Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. G. S. Saini, Advocate for the petitioner.

Mr. Mehardeep Singh, Additional Advocate  
General, Punjab.

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Jitendra Chauhan, J.

By filing the present criminal revision, the petitioner has assailed the judgment dated 4.5.2016, vide which, learned Additional Sessions Judge, Fazilka, upheld judgment and order dated 23.10.2015, passed by learned Judicial Magistrate 1<sup>st</sup> Class, Abohar, whereby, the petitioner has been convicted and sentenced as under:-

| Name                          | Conviction under Section | Sentence         | Fine       | In default of payment of fine |
|-------------------------------|--------------------------|------------------|------------|-------------------------------|
| Sukhwant Singh @Sukhdev Singh | Section 304 IPC          | RI for 01 year   | Rs.2,000/- | RI for one month              |
|                               | Section 279 IPC          | RI for 03 months | Rs.500/-   | RI for 15 days                |
|                               | Section 337 IPC          | RI for 03 months | Rs.200/-   | RI for 07 days                |
|                               | Section 338 IPC          | RI for 06 months | Rs.500/-   | RI for 15 days                |

However, all the sentences were ordered to run concurrently.

Learned counsel for the petitioner does not press the revision

petition on merits and has submitted that in terms of the compromise

reached between the parties and in view of the fact that the petitioner has undergone seven months and twenty six days of sentence out of the substantive sentence of one year, a lenient view may be taken in the matter of sentence. Even otherwise, this Court has re-scanned the entire record and finds no infirmity in the impugned judgments thereby recording conviction of the petitioners, as noticed at the outset of this judgment.

The petitioners are not involved in any other FIR. Therefore, this Court is inclined to take a lenient view in the matter of sentence.

Learned State counsel has not opposed the prayer made.

Keeping in view the fact that the matter stands compromised between the parties, and the fact that the petitioner has already undergone a substantive period of the sentence, the prayer made on behalf of the petitioner is accepted and the sentence awarded to the petitioner is ordered to be reduced to the period already undergone by him. The petitioner shall deposit a sum of Rupees twenty five thousand as compensation to the wife of the deceased, within one month from today. The petitioner be released forthwith, if not required in any other case.

Ordered accordingly.

However, it is made clear that in case, the amount is not paid within the stipulated period, the present revision petition shall be deemed to be dismissed without further notice.

**(JITENDRA CHAUHAN)**  
**JUDGE**

**November 8, 2016**  
**archana**

|                               |     |    |
|-------------------------------|-----|----|
| Whether speaking / reasoned : | Yes | No |
| Whether Reportable :          | Yes | No |