

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

**CRR-3540-2015(O&M)
Date of Decision:21.07.2016**

Rajesh

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.Vivek Goel, Advocate for the petitioner.

Mr.Sandeep Vashisht, DAG, Haryana.

1. Whether Reporters of local papers 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?

AJAY TEWARI, J. (Oral)

This revision has been filed against the conviction of the petitioner for the commission of offence under Sections 323, 324 and 326 read with Section 34 IPC. The trial Court had awarded simple imprisonment for a period of six months with fine of Rs. 200/- under Section 323 read with Section 34 IPC, for a period of one year with fine of Rs. 500/-under Section 324 read with Section 34 IPC and for a period of one year and a fine of Rs. 1000/- under Section 326 read with Section 34 IPC. However, the Appellate Court reduced the sentence to one month with fine of Rs. 200/- under Section 323 read with Section 34 IPC, three months with fine of Rs. 500/- under section 324 read with Section 34 IPC and six months with fine of Rs. 1000/-under Section 326 read with Section 34 IPC.

Learned counsel for the petitioner has argued that he does not

dispute this revision on merits but prays that some leniency be shown in the sentence since the petitioner has already undergone imprisonment for a period of more than five months. He has further argued that the petitioner is not a previous convict and is the sole bread earner of the family consisting of small children and old father who is a cancer patient. Learned DAG has argued that keeping in view the antecedents of the petitioner and the fact that he is not a habitual offender, he has no objection if some leniency is shown in sentence.

Keeping in view the above arguments of learned counsel and the fact that the petitioner has served more than five months in imprisonment, the ends of justice would be met if he is sentenced to undergo imprisonment already undergone by him during the continuation of these criminal proceedings. Ordered accordingly.

Petition stands disposed of.

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

(AJAY TEWARI)
JUDGE

July 21, 2016
sunita