

CRR-2450-2016 (O&M)

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

**CRR-2450-2016 (O&M)
Date of Decision: 04.11.2016**

JASWANT SINGHPetitioner
versus
STATE OF PUNJABRespondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. D.S.Gurna, Advocate for the petitioner.

Ms. A.K.Khurana, Addl. A.G., Punjab.

AJAY TEWARI, J. (Oral)

This revision has been filed against the concurrent conviction of the petitioner for the commission of offences under Sections 323 and 324 in FIR No.155 dated 31.10.2009 registered at Police Station Machhiwara, District Ludhiana.

The sentence awarded to the petitioner is as under:-

Sentence under Section	Imprisonment awarded	Fine	In default of payment of fine
Section 324 IPC	R.I. for two and a half years	Rs.5000/-	R.I. for one month.
Section 323 IPC	R.I. for six months	Rs.500/-	R.I. For 15 days

As per the allegations the petitioner and the complainant are auto rickshaw drivers and there was an altercation due to some personal ill will between the parties. On 31.10.2009 there was a scuffle between the parties on plying of the tempo and petitioner mandhandled the complainant and abused him. Thereafter petitioner hit the complainant with shard edge weapon on the palm of the right hand, back and arm.

On the last date, after arguing for some time learned counsel for the petitioner made some limited submissions that originally offences which had been mentioned was under Section 326 but ultimately the Court had found that offences were under Section 324 and 323 of the IPC and for that offences the sentence of two and a half years was excessive.

Learned Addl. A.G has fairly accepted that this case may call for reduction and further accepted that there were two sharp edge injury to the victim by the petitioner.

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 petitioner is reduced to one and a half years.

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

(AJAY TEWARI)
JUDGE

04.11.2016
anuradha

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No