

223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4170 of 2015 (O&M)
DECIDED ON: JANUARY 21, 2016

SUNIL

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH.

- 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?***

2. Shortly put, the allegations against the petitioner are that on July 14, 2009 petitioner alongwith his co-accused has stolen one tractor bearing registration No. PB-44-B 2065 from Saharan Brick Kiln Company, Mataur, village Mataur and thereafter, prepared a forged RC bearing No. HR-46-A-6776 in the name of Wazir Singh son of Matu Ram, VPO Gandhra District Rohtak and affixed the same on the said tractor. On the basis of secret information, all the accused were apprehended red handed alongwith tractor in question.

3. Here it would be pertinent to mention that at the time of issuance of notice of motion, petitioner did not challenge his conviction on merits and only confined his relief qua quantum of sentence. This Court has also scrutinized the impugned judgments as well as the relevant documents/evidence and is of the considered view that there is no scope for any interference in impugned judgment(s) as far as the conviction of the petitioner is concerned. As such, the conviction of the petitioner is upheld.

4. Custody certificate filed by learned State counsel in respect of petitioner-Sunil is taken on record.

4. Undoubtedly, petitioner is facing the agony of protracted trial since the date of registration of FIR i.e. September 22, 2009 and is also cooling his heels behind the bars since the date of his arrest. He has to support his family. A glance at the custody certificate makes it crystal clear that petitioner has already undergone near about 09 months as on today out of total substantive sentence of 02 years.

7. Taking into consideration the above narrated discussion as well as the fact that petitioner has not challenged his conviction on merits, while affirming the conviction of the petitioner, the order of sentence is modified to

the extent to the period already undergone by him.

8. In view of order passed in the main revision petition, CRM No. 35770 of 2015 has rendered infructuous, and is dismissed as such .

JANUARY 21, 2016
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(JASPAL SINGH)
JUDGE