

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

**CRR No.3097 of 2016 (O&M)
Date of Decision: 22.11.2016**

Anil and others

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the digest? No

Present: Mr. Kunal Dawar, Advocate
for the petitioners.

Mr. Sandeep Vashisht, DAG, Haryana.

ANITA CHAUDHRY, J.

The revisionists Anil, Sunil and Sonu have challenged their conviction in FIR No.106/2011, registered under Sections 354, 506, 34 IPC, Police Station Hassanpur, District Palwal. The Judicial Magistrate Ist Class, Hodal, vide order dated 11.12.2015 convicted the petitioners and sentenced them to undergo simple imprisonment for a period of 18 months for commission of offence under Section 354/34 IPC.

The convicts preferred an appeal which was dismissed by the Sessions Judge, Palwal vide order dated 15.07.2016. The petitioners were taken into custody.

Still not satisfied, instant revision was filed.

On 01.09.2016, learned counsel for the petitioners had confined his prayer only to the quantum of sentence.

Custody certificate has been placed on record, the petitioners have undergone actual sentence of 04 months and 07 days.

As the prayer is restricted only to the sentence, therefore, the findings recorded by the Courts below convicting the petitioners are affirmed.

As regards the the prayer of reduction is concerned, the FIR in this case was registered on July, 2011. The petitioners were convicted by the trial Court vide order dated 11.12.2015. Their appeal was dismissed by the Appellate Court on 15.07.2016 and they were taken into custody. The petitioners have remained in custody for over 04 months out of 1½ year. They have faced a protracted trial for about five years. Keeping the entire conspectus into view, I feel that ends of justice would be met if the sentence awarded to the petitioners is reduced to the period already undergone.

With the above modification alone, the revision petition stands disposed.

(ANITA CHAUDHRY)
JUDGE

22.11.2016

'Sunil Sehgal'

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No