

261 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-3122 of 2016 (O&M)
Date of Decision: 03.10.2016

Julaf Karool Hassan @ Mohd. HasanPetitioner

versus

State of PunjabRespondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Gaurav Gogna, Advocate for the petitioner.

Mr. K.S.Pannu, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This revision has been filed against the concurrent conviction of the petitioner for the commission of offence under Section 7 of the Essentail Commodities Act, 1955 and 420 IPC in FIR No.343 dated 16.10.2008 registered at Police Station Basti Jodhewal, Ludhiana.

The sentence awarded to the petitioner is as under:-

Under Section 7 of the Essential Commodities Act, 1955	Simple imprisonment for six months.
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Learned counsel for the petitioner states that the allegation against the petitioner is that he was filling gas in smaller cylinders from the domestic cylinders.

He has further argued that he does not dispute this revision on merits but prays that some leniency be shown in the sentence since the petitioner has learnt his lesson and any long incarceration may not have any reformative effect but may ultimately harden the petitioner.

Custody certificate by way of affidavit of Gurcharan Singh Dhaliwal, PPS, Deputy Superintendent, Central Prison, Ludhiana on behalf of State has been filed and the same is taken on record. Copy supplied to the counsel opposite. As per custody certificate the petitioner has undergone 02 months and 28 days out of the total actual sentence of six months and there is no other case pending against the petitioner.

Learned Deputy Advocate General has accepted this fact.

In my considered opinion, these factors would justify a reduction in the sentence. Consequently, even while dismissing the revision against the conviction the sentence of the petitioner is reduced to that he has already undergone.

Revision petition stands disposed of.

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

(AJAY TEWARI)
JUDGE

03.10.2016

Pooja sharma-I

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No