

107 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.4368 of 2015 (O&M)
Date of Decision: March 16, 2016

Sh. Jagdev Singh Petitioner
vs.

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. S.K. Choudhary, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers 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?

Kuldip Singh J.(Oral)

CRM-37272-2015

There is delay of 25 days in filing the present revision petition.

For the reasons mentioned in the application, delay of 25 days in filing the present revision petition is condoned, subject to all just exception.

Application stands disposed of.

Main Case

Impugned in the present revision petition is the judgment dated 14.07.2015 passed by learned Addl. Sessions Judge, Pathankot, affirming the judgment of conviction and order of sentence dated 28.10.2014 passed by learned Judicial Magistrate 1st Class, Pthankot, whereby the accused-petitioner was convicted and sentenced as under:

S.N.	Offence (IPC)	Sentence (R.I.)	Fine (Rs.)	In default of payment of fine (R.I.)
1	420	2 years	1,000/-	1 month
2	467	3 years	2,000/-	2 months
3	468	2 years	1,000/-	1 month
4	471	1 year	500/-	15 days

All the substantive sentences were directed to run concurrently.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

During the course of arguments, learned counsel for the petitioner has pressed the present revision petition only on the point of quantum of sentence.

Learned counsel for the petitioner has contended that sentence of rigorous imprisonment for three years awarded to the petitioner for the commission of offence punishable under Section 467 IPC is on the higher side. Similarly, the sentence of rigorous imprisonment for two years each for the commission of offence punishable under Sections 420 and 468 is also on higher side.

The allegations against the petitioner are that he misrepresented Balbir Raj and Natha Ram to the effect that he can get them job of Sewadar in the Municipal Committee, Pathankot. Both of them paid ₹1,50,000/- to the petitioner and he handed over to them appointment letters, which were found to be fake.

After considering the period during which the accused-petitioner faced the trial and the period already undergone by him, the sentence awarded to the accused-petitioner for the commission of offence punishable under Section 467 IPC is reduced from three years to two years. However, the remaining part of the sentence awarded under Section 467 IPC and other Sections is maintained.

With the aforesaid modification, the present revision petition stands dismissed.

(KULDIP SINGH)
JUDGE

March 16, 2016

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