

**CRM-31851-2016 in/and
CRR- 3289 of 2016 (O&M)**

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

**CRM-31851-2016 in/and
CRR- 3289 of 2016 (O&M)
Date of Decision: 24.10.2016**

Lovepreet Singh and anotherPetitioners
versus
State of PunjabRespondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. L.M.Gulati, Advocate for the petitioner.

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

AJAY TEWARI, J. (Oral)

CRM-31851-2016

This application has been filed for pre-poning the date of hearing of revision from 27.02.2017 to some early date.

For the reasons recorded in the application, the same is allowed the revision is heard today itself.

CRR- 3289 of 2016

This revision has been filed against the concurrent conviction of the petitioners for the commission of offences under Sections 323 IPC read with 34 of IPC and 326 IPC read with 34 of IPC in FIR No.31 dated 18.05.2011 registered at Police Station Kambo, District Amritsar.

The sentence awarded to the petitioners is as under:-

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Sr No.	Name of accused	Sentence under Section	Imprisonment awarded	Fine	In default of payment of fine
1.	Lovepreet Singh	323 IPC read with Section 34 IPC	S.I. for Six months	Rs.1,000/-	S.I. For 10 days
		326 IPC read with Section 34 IPC	R.I. For 06 months	Rs. 1000/-	S.I for 10 days.
2.	Sukhdev Singh	323 IPC read with Section 34 IPC	S.I. for Six months	Rs.1,000/-	S.I. For 10 days
		326 IPC read with Section 34 IPC	R.I. For 06 months	Rs. 1000/-	S.I for 10 days.

On 14.09.2016, the following order was passed:

“Counsel for the petitioners has argued that he would not press this petition on merit but keeping in view the facts and circumstances of the case, there may be some scope for reduction in sentence.

Notice of motion.

On the asking of the Court, Mr. Ashish Sanghi, DAG Punjab accepts notice. Counsel for the petitioners undertakes to hand him over a copy of the paper book during the course of the day.

Adjourned to 3.10.2016.”

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Custody certificates by way of affidavit of Kulwant Singh, PPS, Officiating Superintendent, Central Jail, Amritsar on behalf of State have been filed and the same are taken on record. Copy supplied to the counsel opposite. As per the custody certificate, the petitioner no.1 has undergone actual sentence of 05 months and 09 days out of the total sentence of 06 months and petitioner No.2 has undergone actual sentence of 04 months and 16 days out of the total sentence of 06 months.

Keeping in view, the different roles attributed to them and other facts and circumstances I deem it appropriate to reduce the sentence of the petitioners. Consequently, the revision against the conviction is dismissed but the sentence of the petitioners is reduced to that they have 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**

24.10.2016
anuradha

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No