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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRR-4494 of 2015 (O&M)  
Date of Decision: 05.10.2016

Laddi Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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Present: Mr. Sandeep Arora, Advocate for the petitioner.

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

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AJAY TEWARI, J. (Oral)

This revision has been filed against the concurrent conviction of the petitioner for the commission of offence under Section 457/380/427 IPC FIR No.131 dated 30.09.2010 registered at Police Station Mukerian, District Hoshiarpur.

The sentence awarded to the petitioner is as under:-

|                       |   |                                                                                                                       |
|-----------------------|---|-----------------------------------------------------------------------------------------------------------------------|
| Under Section 457 IPC | : | R.I. for 3 years and to pay a fine of Rs.2,000/- in default of payment of fine to further undergo R.I. for one month. |
| Under Section 380 IPC | : | R.I. for 3 years and to pay a fine of Rs.1,000/- in default of payment of fine to further undergo R.I. for 15 days.   |
| Under Section 427 IPC | : | R.I. for 2 years and to pay a fine of Rs.1,000/- in default of payment of fine to further undergo R.I. for 15 days.   |

All the sentences were ordered to run concurrently.

The allegations are that the petitioner tried to vandalize the petrol pump where he had earlier been working as a Salesman and was

arrested from the spot and an amount of Rs.19,000/- which he had looted was also recovered from him.

After arguing for sometime learned counsel for the petitioner states that even if the allegations are taken on face value the real reason seems to be that the petitioner had some grudge against the owner of the petrol pump and was trying to vandalize the petrol pump and consequently the invocation of Sections 380 and 457 IPC are highly debatable. He further states that if this contention is accepted then the sentence awarded to the petitioner is excessive. 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 reformatory effect but may ultimately harden the petitioner.

Custody certificate by way of affidavit of Ajmer Singh, PPS, Superintendent, Central Jail, Hoshiarpur 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 01 year, 10 months and 5 days out of the total actual sentence of three years and there is no other case pending against the petitioner.

Learned Deputy Advocate General is not in a position to counter the arguments of the learned counsel for the petitioner.

In my opinion there is some merits in what the learned counsel for the petitioner has argued. 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

05.10.2016  
*Pooja sharma-I*

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable :      | Yes/No |