

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

**CRR No.359 of 2016 (O&M)  
Date of Decision: January 29, 2016**

**Rakesh Kumar**

**.... Petitioner**

**vs.**

**State of Punjab**

**.... Respondent**

**CORAM: HON'BLE MR. JUSTICE KULDIP SINGH**

**Present:** Mr. Rajeev Sharma, 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-3004-2016**

There is delay of 82 days in filing the present revision petition.

For the reasons mentioned in the application, supported by an affidavit, delay of 82 days in filing the present revision is condoned, subject to all just exception.

Application stands disposed of.

**CRR-359-2016**

Learned counsel for the petitioners presses the present revision petition only on the quantum of sentence.

The petitioner was convicted and sentenced by the learned Addl. Chief Judicial Magistrate, Pathankot, vide judgment of

conviction and order of sentence dated 07.03.2014, which is as under:

| Sr. No. | Offence Punishable u/s | Sentence | Fine (₹) | In default of Fine (S.I.) |
|---------|------------------------|----------|----------|---------------------------|
| 1       | 279 IPC                | 6 months | --       | --                        |
| 2       | 338 IPC                | 2 years  | --       | --                        |
| 3       | 427 IPC                | 2 years  | --       | --                        |

All the substantive sentences were directed to run concurrently.

The said conviction and sentence was upheld in appeal by the learned Addl. Sessions Judge, Pathankot, vide judgment dated 03.08.2015.

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

After going through the nature of injury on the person of the complainant, it comes out that there was fracture of left femur. There were cut and burns also.

Keeping in view the nature of the injuries, I am of the view that there is some scope for reduction of sentence imposed under Sections 338 and 427 IPC. Therefore, the same is reduced from 2 years to 1 year each. However, the remaining part of the sentence is kept intact.

With the aforesaid modifications, the present revision stands dismissed.

January 29, 2016  
sarita

(KULDIP SINGH)  
JUDGE