

Criminal Revision No.4887 of 2015 (O&M)

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 282

Criminal Revision No.4887 of 2015 (O&M)

Date of Decision: *December 07, 2016*

GURJIT SINGH @ BHATTI

..... PETITIONER

VERSUS

STATE OF PUNJAB

..... RESPONDENT

...

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

...

PRESENT: - Mr. Kanwaljeet Singh Brar, Advocate, for the petitioner.

Mr. B.S. Cheema, Deputy Advocate General, Punjab.

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Jaspal Singh, J.

1. The instant revision has been preferred by Gurjit Singh @ Bhatti challenging judgment/order dated January 15, 2014, passed by the Chief Judicial Magistrate, Bathinda, in case bearing FIR No.501, dated 04.10.2006, under Sections 385, 148, 452, 382, 506 read with Section 149 of IPC, registered at Police Station Kotwali, District Bathinda as well as judgment dated June 05, 2014, passed by learned Additional Sessions Judge, Bathinda. Vide judgment/order dated January 15, 2014, he was convicted and sentenced as under:-

Name of Accused	U/s	RI	Fine (₹)	In default (S.I.)
Gurjit Singh @ Bhatti	385 IPC	01 year	1000/-	15 days
	148 IPC	01 year	1000/-	15 days
	452 IPC	02 years	1000/-	15 days
	382 IPC	02 years	1000/-	15 days
	506 IPC	01 year	1000/-	15 days

Dis-satisfied with the aforesaid judgment/order of conviction and sentence, the accused – petitioners preferred an appeal wherein, the Lower Appellate Court vide judgment dated June 05, 2014, upheld the conviction, however, reduced the sentence as under:-

Name of Accused	U/s	RI	Fine (₹)	In default (S.I.)
Gurjit Singh @ Bhatti	385 IPC	06 months	1000/-	15 days
	148 IPC	06 months	1000/-	15 days
	452 IPC	01 year	1000/-	15 days
	382 IPC	01 year	1000/-	15 days
	506 IPC	06 months	1000/-	15 days

2. At the very outset of arguments, learned counsel for the petitioner submits that he does not press the petition qua conviction, however, the petitioner be heard only qua quantum of sentence. This Court has also scrutinized the impugned judgments as well as the relevant document(s)/evidence and is of the considered view that there is no scope for any interference in impugned judgment (s) as far as the conviction of the petitioner under the aforesaid provisions of IPC is concerned. As such, the conviction of the petitioner is upheld.

3. As far as quantum of sentence is concerned, it has emerged from the custody certificate that the petitioner has almost undergone the sentence

imposed upon him. Otherwise also, he is first offender and has faced the agony of the protracted trial. Thus, the sentence of imprisonment imposed upon him is reduced to the period already undergone by him, with no change in fine clause. He be released forthwith, if any, required in any other case.

4. The revision petition stands dismissed with above-said modification.

December 07, 2016
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(Jaspal Singh)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No