

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Revision No.5076 of 2015 (O&M)

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Date of decision:19.2.2016

Balkar Singh alias Laddi

...Petitioner

v.

State of Punjab

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Vineet Kaushal, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

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Inderjit Singh, J.

This criminal revision petition has been filed under Section 401 Cr.P.C. challenging the impugned judgment dated 20.3.2015 passed by learned Sessions Judge, Sangrur, whereby the appeal filed against the impugned judgment of conviction and order of sentence dated 29.11.2013 passed by learned Judicial Magistrate Ist Class, Dhuri, convicting the petitioner for the offence under Section 325/34 IPC and sentencing him to undergo rigorous imprisonment for one year and to pay fine of ₹500/- for the offence under Section 325 IPC, has been dismissed.

The brief facts of the case are that on 6.5.2011, on receipt of a medical 'Ruqa' from Medical Officer, Civil Hospital, Dhuri, regarding

admission of Ravi son of Karamvir in an injured condition, ASI Harminder Singh along with HC Piara Singh went to Civil Hospital and obtained the opinion of the doctor, who declared the patient unfit to make the statement. Then on 7.5.2011, ASI Harminder Singh along with HC Jaspal Singh went to Civil Hospital and after obtaining the opinion of doctor, recorded the statement of injured Ravi Kumar, in which he stated that on 5.5.2011 he came to the grocery shop at Dashmesh Nagar for obtaining a coupon, where Sewa Singh, Laddi and Prem started abusing him and when objected, then Prem and Sewa Singh caught hold him and Laddi gave a wooden batten blow on his chin. When he raised hue and cry, then Sunny son of Amar Singh rescued him.

At the time of preliminary hearing, learned counsel for the petitioner did not dispute the concurrent findings of fact regarding conviction recorded by the Courts below. He prayed only for the reduction of sentence. Therefore, notice of motion only qua quantum of sentence was issued.

Ms. Shivali, learned Assistant Advocate General, Punjab, has put in appearance on behalf of the respondent-State and contested this revision petition.

Today also, the learned counsel for the petitioner prayed for reduction of sentence of the petitioner.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Punjab and have gone through the record.

The custody certificate has been filed by the learned State counsel. As per the custody certificate, the petitioner including the remission has already completed the sentence of imprisonment and he has already been released from the jail on 1.1.2016 after completion of the sentence.

Keeping in view the fact that the petitioner has already completed the sentence and has been released from the jail, there is no need for reducing the sentence.

Therefore, the criminal revision is accordingly dismissed.

February 19, 2016.

(Inderjit Singh)
Judge

hsp