

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

**Criminal Revision No.412 of 2016 (O&M)
Date of Decision : 27th September, 2016**

Pawanjit Kaur alias Pawan Behal and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. B.B.S.Randhawa, Advocate
for the petitioners.

Mr. K.S.Pannu, DAG, Punjab
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioners have preferred the instant revision petition against the judgment dated 18.09.2015, passed by the learned Addl. Sessions Judge, Patiala, dismissing their appeal against the judgment of conviction and order of sentence dated 16.05.2015, passed by the learned Chief Judicial Magistrate, Patiala vide which they were held guilty for the commission of offence punishable under Sections 406, 420 read with Section 120-B IPC and sentenced them to undergo rigorous imprisonment for a period of 02 years each on each count under the aforesaid Sections.

The allegations against the petitioners are that they took Rs.2,70,000/- from the complainants to send Harpreet Singh alias Harry abroad but neither they send him abroad nor returned their money.

Custody certificates by way of affidavit of Gurcharan Singh Dhaliwal, PPS, Deputy Superintendent, Central Jail, Patiala have been filed.

Criminal Revision No.412 of 2016 (O&M)

-2-

Same are taken on record. As per custody certificates, petitioner Gurpreet Singh alias Garry has already undergone 01 year 06 months and 04 days of actual sentence and petitioner Pawanjit Kaur alias Pawan Behal has already undergone 11 months and 27 days of actual sentence.

Learned counsel for the petitioners does not press the instant petition on merits but states that as the petitioners are the first offender and no other case is pending against them, reduction in the sentence may be called for.

Custody certificates, produced by learned State counsel, corroborate that the petitioners' antecedents are otherwise clean.

In these circumstances, I do not deem it appropriate to deny the limited prayer made by the learned counsel for the petitioners and consequently, the sentence of the petitioners is reduced to the period already undergone by them. The petitioners are directed to be released forthwith if their custody is not required in any other case.

Accordingly, the petition stands dismissed.

(AJAY TEWARI)
JUDGE

27th September, 2016

mamta

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No