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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-37416 of 2016 in/and  
CRR No.4431 of 2016 (O&M)  
Date of Decision: 17.12.2016

Iqbal

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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Present:     Mr. Rajesh Bhateja, Advocate for  
                  Mr. Sarfraj Hussain, Advocate  
                  for the applicant-petitioner.

Mr. Surender Singh, AAG, Haryana.

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AJAY TEWARI, J. (Oral)

CRM-37416 of 2016

For the reasons recorded, application is allowed.

CRR No.4431 of 2016

This revision has been filed against the concurrent conviction of the petitioner for the commission of offence under Sections 323/341/325/506/120-B IPC in FIR No.249 dated 16.04.2014 registered at Police Station Nuh.

The sentence awarded to the petitioners is as under:-

|                       |   |                      |
|-----------------------|---|----------------------|
| Under Section 323 IPC | : | R.I. for six months. |
| Under Section 506 IPC | : | R.I. for six months. |

It is also ordered that both the sentences shall run concurrently.

Custody certificate by way of affidavit of Devi Dyal, Deputy Superintendent, District Jail, Gurugram on behalf of State has been filed and the same is taken on record. Copy supplied to the counsel opposite.

As per the custody certificate the petitioner has undergone actual sentence of 01 month and 06 days out of the total sentence of six months (wrongly mentioned as one year in the custody certificate).

Learned counsel for the petitioner has 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. He has further argued that the injuries in the present case are simple in nature.

Learned AAG has stated that if the sentence is to be reduced then some compensation has to be awarded.

In my considered opinion, there is some weight in the arguments of both the learned counsel. Consequently, the revision against the conviction is dismissed but the sentence of the petitioner is reduced to two months subject to payment of Rs.10,000/- to be paid to the complainant.

Since the main case has been decided, the Criminal Misc. Application, if any, also stands disposed of.

**(AJAY TEWARI)**  
**JUDGE**

**17.12.2016**  
*Pooja sharma-I*

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No