

104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.812 of 2016 (O&M)
Date of Decision: February 27, 2016

Bablu Mandal Petitioner

vs.

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vishavjeet Singh, 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)

Petitioner Bablu Mandal has filed this revision petition against the judgment dated 04.11.2015 passed by learned Addl. Sessions Judge, Ludhiana, affirming the judgment of conviction and order of sentence dated 18.05.2015 passed by learned Judicial Magistrate 1st Class, Ludhiana, vide which the petitioner along with one Mahavir Kumar was convicted and sentenced as under:

Sr. No.	Commission of offence	Sentence	Fine (₹)	In default of fine
1	341 IPC	1 month (S.I.)	200/-	30 days (S.I.)
2	323 IPC	1 year (S.I.)	500/-	30 days (S.I.)
3	324 IPC	1 year 6 months (R.I.)	500/-	30 days (S.I.)
4	506 IPC	6 months (R.I.)	500/-	30 days (S.I.)

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

So far as the merits of the case are concerned, the specific role was attributed to the present petitioner. The complainant was coming on a bicycle. He was way laid by the petitioner and

Mahavir Kumar. The petitioner pushed the bicycle due to which the complainant fell down and stabbed with knife by Mahavir Kumar, which shows that the petitioner and Mahavir Kumar had common intention to commit the crime. However, at the same time, it comes out that the present petitioner did not cause any injury to the complainant nor he was armed with any weapon.

So far as the merits of the case are concerned, there are concurrent findings recorded by both the courts below. However, there is scope of some leniency on the point of quantum of sentence.

Keeping in view the facts and circumstances of the case, the sentences imposed upon the present petitioner for the commission of offence punishable under Sections 323 and 324 are reduced to 6 months. However, the remaining part of the sentence imposed under the aforesaid sections and other Sections is maintained.

With the aforesaid modification, the present revision petition stands dismissed.

February 27, 2016
sarita

(KULDIP SINGH)
JUDGE