

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

**CRR No. 860 of 2016 (O&M)
Date of Decision: 05.05.2016**

Sona Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajeev Anand, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

ANITA CHAUDHRY, J.

This revision is by the convict who had been sentenced to undergo rigorous imprisonment for a period of 1 year along with fine of Rs.500/- for commission of offence under Section 354 IPC. In default of payment of fine, he was to further undergo imprisonment for a period of 1 month. He was also sentenced to undergo rigorous imprisonment for a period of 1 year for commission of offence under Section 354-A IPC; rigorous imprisonment for a period of 1 year for commission of offence under Section 451 IPC and rigorous imprisonment for a period of 6 months for commission of offence under Section 506 IPC.

A complaint was lodged by the victim who was a student

of 9th Class. Her mother had died. Her father was a labourer. The allegations are that on 24.05.2013 around mid-night, the accused entered her house. The victim and her uncle's wife were asleep. The accused started mis-behaving with the girl. The girl called out and the aunt got up and raised alarm. The accused then fled. He threatened and abused her. The act attributed to the appellant was that he started pinching the feet of the victim.

The police investigated the matter and filed the challan. Charge was framed under Section 354-A, 354, 506 IPC. The accused pleaded not guilty.

The prosecution examined four witnesses and closed its evidence. The accused denied all the allegations and pleaded false implication. He did not lead any evidence in defence. The trial Court accepted the statement of the victim and convicted and sentenced him to the sentence mentioned here-in-before.

The appellate Court also confirmed the judgment.

Notice was issued on the limited question of quantum of sentence.

Custody certificate has been placed on file.

The counsel for the revisionist has urged that petitioner is in custody for over 6 months and the act attributed only is that he had touched the feet of the prosecutrix after entering the house. It was urged that considering the allegations, the sentence that was awarded was on the higher side and the petitioner is a first offender and young in age.

The incident is of May, 2013. The petitioner is in custody

for over 06 months. Considering the allegations, I am of the view that the interest of justice would be served if the sentence is reduced to already undergone. There would be no modification with regard to the sentence of fine. The petitioner be released forthwith in this case, if not required in any other case.

With the above modification alone, the revision petition stands disposed.

(Anita Chaudhry)
Judge

05.05.2016

Sunil