

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR 2566-2008(O&M)
Date of decision: 28.11.2017

Lal Singh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Ramesh Hooda, Advocate for the petitioner
Mr.Pawan Garg, Assistant Advocate General, Haryana

- 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)

Heard.

Learned counsel for the petitioner presses the revision only on the point of quantum of sentence.

Custody certificate dated 27.11.2017 filed in Court today and the same is taken on record.

Petitioner was convicted by learned Judicial Magistrate First Class, Karnal vide judgment of conviction dated 9.3.2006 and order of sentence dated 10.3.2006 and sentenced to undergo Rigorous Imprisonment for two years and fine of Rs.1000/- and in default to further undergo Simple Imprisonment for 2 months under Section 471 IPC on the allegations that matric certificate produced by him at the time of recruitment as Constable in Haryana Armed Police was found to be fake. Appeal filed by the petitioner was dismissed by learned Additional Sessions Judge, Karnal vide judgment

dated 15.11.2008. As per Custody certificate, the petitioner has already undergone the total sentence of 2 months and 18 days. No previous case is registered against the petitioner nor he is a previous convict.

Considering that the fake certificate was produced to get employment in the police and keeping in view the fact that the petitioner has since been dismissed from service and also the fact that the petitioner is facing trial since 1996 i.e. for 21 years, sentence of Rigorous Imprisonment for two years awarded under Section 471 IPC is hereby reduced to Rigorous Imprisonment for 1 year and 3 months. Remaining part of the sentence is maintained.

Petitioner be re-arrested to undergo the remaining part of sentence.

With the above modification, the present revision petition is dismissed.

28.11.2017*gk***(Kuldip Singh)****Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No