

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

Crl. Misc. No.M-37378 of 2016 (O&M)

Date of Decision: November 03, 2017

Jagtar Singh @ Bittu and another

.....PETITIONER(s).

VERSUS

State of Punjab and another

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rakesh Kumar, Advocate
for the petitioner (s).

Mr. C.L.Pawar, Sr. D.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

Heard.

Learned counsel for the petitioners submits that the trial Court in para 24 of the judgement, firstly, acquitted Jagtar Singh for the offence punishable under Section 24 of Immigration Act but in the next line stated that he is convicted for offence punishable under Section 420 of Indian Penal Code (for short IPC) and Section 24 of Immigration Act. While passing the order on quantum of sentence, he was not sentenced for the offence punishable under Section 24 of Immigration Act.

On perusal of the judgment of the trial Court, I find that as per para 23 of the judgment, it has been observed that the offence punishable under Section 24 of Immigration Act is not duly proved. There appears to be some clerical mistake in the second last line of Para 24 of the judgment that

of Immigration Act. After the acquittal of petitioner Jagtar Singh for the offence punishable under Section 24 of Immigration Act, he stands convicted only for the offence punishable under Section 420 IPC, which is compoundable.

Learned counsel for the petitioner seeks permission to withdraw the petition with liberty to file appropriate application seeking compounding the offence before the appropriate Court and to file fresh petition if need so arise.

Dismissed as withdrawn with liberty as prayed for.

(SURINDER GUPTA)
JUDGE

November 03, 2017

Jyoti-II

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***