

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

**CRR 1816-2012 (O&M)
Date of decision: 14.09.2017**

Rattan Singh and others**.....Petitioner****versus****State of Haryana****.....Respondent****CORAM: Hon'ble Mr.Justice Kuldip Singh**

Present: Mr.M.S.Yadav, Advocate for
Mr.P.K.Chugh, Advocate for the petitioner
Mr.R.K.Makkad, Deputy 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)

The present revision petition is directed against the judgment 1.6.2012, passed by learned Sessions Judge, Fatehabad affirming the judgment of conviction dated 11.11.2009 and order of sentence dated 12.11.2009 passed by learned Chief Judicial Magistrate, Fatehabad, vide which, the present petitioners were convicted and sentenced as under:-

<i>Offence</i>	<i>Sentence</i>	<i>Fine</i>	<i>In default</i>
148/149 IPC	RI for 6 months	Rs.300/- each	SI for 5 days
323/149 IPC	RI for 3 months	Rs.800/- each	SI for 5 days
506/149 IPC	RI for 6 months	Rs.300/- each	SI for 7 days

All the sentences were directed to run concurrently.

Custody certificates dated 30.3.2017 filed in Court are taken on record. It shows that petitioner no.1 Rattan Singh has undergone one month and 25 days, petitioner no.2 Partap has undergone one month and 25 days, petitioner no.3 Dharam Pal has undergone one month and 28 days,

petitioner no.4 Rohtash has undergone one month and 25 days and
petitioner no.5 Ramesh has undergone one month and 28 days sentence.

Learned counsel for the petitioners has pressed the petition only
on the quantum of sentence. It comes out that the maximum sentence
awarded to the petitioner is Rigorous Imprisonment for six months. The
offences are under Section 323, 506 and 148 IPC read with Section 149
IPC. As per custody certificates, neither the petitioners are the previous
convicts nor any case is pending against them.

Considering the offences and the maximum sentence and the
fact that the petitioners are facing trial since 2004, substantive sentence
awarded to the petitioner is reduced to the period already undergone by
them. However, they are ordered to pay Rs.5000/- each as compensation to
Dharam Pal injured.

With above noted modification, the revision is dismissed.

14.09.2017

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No