

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 366 of 2012 (O/M)

Date of decision : 21.11.2017

Manjeet

..... Revisionist

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Akshay Jain, Advocate, (Legal Aid Counsel), for revisionist.

Mr. R.K. Makkad, DAG Haryana.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

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

Revisionist was undergoing sentence in a murder case when he was released on parole for one week by Deputy Commissioner, Sonipat, in compliance of the order passed by this Court. He was to surrender before the jail authorities on 10.11.2009. However, he jumped the parole and could be arrested only on 6.9.2010. In this way, he remained absent from jail for about 10 months. He has been sentenced to undergo rigorous imprisonment for one year and to pay fine of Rs. 5000/-, in default thereof, to further undergo simple imprisonment for 3 months by the learned Additional Chief Judicial Magistrate, Sonipat, under Section 9 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, vide judgment of conviction and order of sentence dated 22.2.2011. The order was upheld by the learned Additional Sessions Judge, Fast Track Court, Sonipat, vide judgment dated 19.7.2011.

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The learned legal aid counsel for revisionist pressed the revision only on the quantum of sentence.

Custody certificate filed in Court today and same is taken on record. The perusal of custody certificate shows that revisionist has already undergone actual sentence of 7 months and 13 days. It further shows that some other criminal cases are pending against revisionist. He is facing trial in 2 other cases, convicted in 8 other cases and acquitted in 9 cases.

Keeping in view the criminal record of revisionist, I do not find any ground to show leniency and reduce the sentence. Hence, revision is dismissed. Revisionist, who is on bail, be rearrested to undergo the remaining part of sentence.

(KULDIP SINGH)
JUDGE

21.11.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No