

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR 120-2014(O&M)

Date of decision: 27.11.2017

Gurjant Singh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Suman Jain, Advocate for the petitioner
Mr.Siddharth Sanwaria, DAG 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?

Kuldeep Singh, J. (Oral)

Petitioner stands convicted and sentenced vide judgment of conviction and order of sentence dated 5.12.2012 passed by learned Judicial Magistrate First Class, Dabwali as under:-

“sentence the convict to undergo Rigorous Imprisonment for one year and also to pay a fine of Rs.500/- for committing offence punishable under Section 452 IPC. In default of payment of fine the convict will have to further undergo Rigorous Imprisonment for one month. Convict is further sentenced to undergo Rigorous Imprisonment for six months and also to pay a fine of Rs.300/- for committing offence punishable under Section 323 IPC. In case of non payment of fine the convicts will further undergo Rigorous Imprisonment for one month. Convict is further sentenced to undergo Rigorous Imprisonment for one year and also to pay a fine of Rs.500/- for committing offence punishable under Section 324 IPC. In case of non payment of fine the convicts will further undergo Rigorous Imprisonment for one month.

Convict is further sentenced to undergo Rigorous Imprisonment for one year and also to pay a fine of Rs.500/- for committing offence punishable under Section 506 IPC. In case of non payment of fine the convicts will further undergo Rigorous Imprisonment for one month. However, all the sentence would run concurrently.

Appeal filed against the judgment was dismissed by learned Additional Sessions Judge, Sirsa vide judgment dated 31.10.2013.

Notice of motion was issued only on the quantum of sentence.

Custody certificate dated 19.01.2016 filed in Court today and the same is taken on record. It shows that the petitioner has undergone the total sentence of 5 months and 7 days, including remissions of 23 days. No other case is pending or decided against him.

Considering the entirety of circumstances, substantive sentence of Rigorous Imprisonment for one year awarded under Section 452, 324 and 506 IPC is hereby reduced to Rigorous Imprisonment for six months each. Remaining part of sentence is maintained.

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

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

27.11.2017
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned: Yes
Whether Reportable: No