

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Revision No. 3004 of 2015 O&M)
Date of decision: 6.7.2017

Purshotam alias Parsa

.. Petitioner

v.

State of Haryana.

.. Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Shashikant Gupta, Advocate for the petitioner.
Mr. Ankur Mittal, Additional Advocate General, Haryana.

...

Rajesh Bindal J.

The petitioner, who was convicted under Section 174-A IPC has filed the present petition impugning the judgments of the courts below.

The petitioner was accused in FIR No. 274 dated 1.11.2011, registered under Section 379 IPC, at Police Station, Sadar Narnaul. On account of his non-appearance, proclamation was issued under Section 82 Cr.P.C. on 5.7.2012. FIR No. 330 dated 17.12.2012 was registered against the petitioner under Section 174-A IPC. Additional Chief Judicial Magistrate, Narnaul vide judgment dated 18.5.2015 awarded sentence of six months rigorous imprisonment to the petitioner. Fine of ₹ 500/- was also imposed. In appeal, the sentence was reduced from six months to three months imprisonment by learned Sessions Judge, Narnaul, vide judgment

dated 7.8.2015. The petitioner was produced in court on 7.1.2013. It has

come in the statement of PW4-SI Suresh Kumar that the petitioner was brought on production warrant from Jhunjhunu and produced in court on 7.1.2013, meaning thereby he may be in custody in some other case at Jhunjhunu.

As per the custody certificate produced by learned counsel for the State in court today, the petitioner has already undergone actual imprisonment of one month and 15 days and after adding remission earned, the total sentence undergone is two months.

Considering the aforesaid factual matrix, in my opinion, the sentence of three months imprisonment awarded to the petitioner deserves to be reduced to the period already undergone. Ordered accordingly.

The revision petition stands disposed of, accordingly.

(Rajesh Bindal)
Judge

6.7.2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No