

In the High Court of Punjab and Haryana at Chandigarh

CRR- 1865 of 2016(O&M)
Date of Decision: 27.1.2017

Baljeet Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. KBS Mann, Advocate
for the petitioner

Mr. Mikhial Kad, AAG, Punjab

Rekha Mittal, J.

The present petition directs challenge against conviction and sentence of the petitioner for offence punishable under Section 354 of the Indian Penal Code (in short “IPC”).

Custody certificate filed in Court, is taken on record.

Counsel for the petitioner has submitted that the petitioner does not press the petition on merits but he may be heard on the quantum of sentence. The petitioner has suffered actual custody for a period of 09 months and 24 days and sentence including remissions for a period of 10 months and 27 days out of substantive sentence of one year. It is prayed that sentence awarded to the petitioner may be reduced to the period already undergone.

Counsel for the State has not disputed the factual assertions but opposed the prayer for reduction in sentence.

I have heard counsel for the parties, perused the paper book and the custody certificate.

The custody certificate substantiates plea of the petitioner with regard to custody and actual sentence already undergone. It further reveals that there is no other criminal case pending against the petitioner. In view of the above, substantive sentence awarded to the petitioner for offence punishable under Section 354 IPC is reduced to the period already undergone. However, sentence of fine with default stipulation shall remain intact.

Disposed of accordingly.

(Rekha Mittal)
Judge

27.1.2017
PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No