

257

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

**CRR No.3061 of 2016 (O&M)
Date of Decision: 30.01.2017**

TARLOCHAN SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. J.S. Dadwal, Advocate
for the petitioner.

Ms. Rimplejeet Kaur, A.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

[1]. This revision petition has been filed by the petitioner against the judgment of conviction and order of sentence recorded by both the Courts below under Section 408 IPC.

[2]. The trial Court convicted the petitioner for the offence under Section 408 IPC and sentenced him to undergo rigorous imprisonment of two years and to pay fine of Rs.3,000/- with default mechanism. The fine was paid by the petitioner.

[3]. Petitioner remained unsuccessful in appeal filed before the Additional Sessions Judge, Ludhiana which was dismissed on 25.07.2016.

[4]. Brief facts are that the the petitioner was originally appointed as Salesman in Raikot Agricultural Co-operative Society, Killa Raipur by the Managing Committee on 03.02.1986. Thereafter, he was appointed as Secretary of the Society w.e.f. 07.02.1986. The services of the petitioner were terminated on 01.10.2000 on the ground that he had embezzled the amount of the Society. Thereafter complainant i.e. Inspector of the Society got registered an FIR against the petitioner in due course. The total amount allegedly misappropriated by the petitioner was Rs.1,01,377/- of the members of the Society, who had availed the loan facilities.

[5]. Learned counsel for the petitioner contended that the petitioner has already faced protracted trial for more than 12 years. Presently, petitioner is about 75 years of age.

[6]. At the time issuance of notice of motion, learned counsel for the petitioner did not press the revision petition on merits, rather confined his payer only to the quantum of sentence.

[7]. Having heard the parties, I find that the petitioner has faced protracted trial since the year 2004. Owing to the age of the petitioner and in the light of the fact that he has already undergone 10 months 11 days of his total sentence as on 27.01.2017, I deem it appropriate to reduce the sentence of the

petitioner to one year, subject to increase of fine from Rs.3,000/- to Rs.20,000/-.

[8]. The amount of fine shall be deposited by the petitioner in the trial Court within a period of one month from today, failing which this order will be of no consequence.

[9]. Petition stands disposed of accordingly.

January 30, 2017

Atik

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No