

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

CRR-4458-2015

Date of decision:-18.12.2017

Shekhar Singh @ Shera

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Ms.Pooja Nayar, Advocate as
Legal Aid counsel for the petitioner.

Mr.Kirat Singh Sidhu, DAG, Punjab.

H.S. MADAAN, J.(ORAL)

Shekhar Singh @ Shera, an accused in FIR No.18 of 2011 for the offences under Sections 452, 323, 427, 506 IPC, registered with Police Station Islamabad, Amritsar was arrested in that case and was sent up to face trial. While he was lodged in Central Jail, Amritsar, before Chief Judicial Magistrate, Amritsar, who was holding a Camp Court there, accused made a confessional statement.

Chief Judicial Magistrate, Amritsar recorded his satisfaction that confession had been made voluntarily without any threat or pressure by the accused and the accused was explained that confession made might be used against him but even then, he had made the confession, as such, he was convicted for the offences under Sections 452, 323, 427 and 506 IPC and he was sentenced to undergo imprisonment for a period of 18

months and to pay a fine of Rs.1,000/- and in default thereof, to further undergo simple imprisonment for fifteen days. All the sentences were ordered to run concurrently.

However, the accused preferred an appeal against the said judgment of conviction and sentence, which was dismissed by learned Additional Sessions Judge, Amritsar vide judgment dated 29.9.2015 in light of Section 375 Cr.P.C., which provides that where an accused person had pleaded guilty and had been convicted on such plea, there shall be no appeal, which left petitioner – accused Shekhar Singh @ Shera aggrieved and he has filed the present revision petition.

I have heard learned counsel for the petitioner-accused-convict and learned Deputy Advocate General for the State of Punjab besides going through the record and I find that there is absolutely no merit in the revision petition.

Thus I do not find any illegality and irregularity in the judgments passed by the Courts below. Rather the same are based upon proper appraisal and appreciation of evidence and correct interpretation of law.

Petitioner Shekhar Singh @ Shera – accused is stated to be on bail granted to him by this Court. His bail is cancelled. Chief Judicial Magistrate, Amritsar is directed to issue arrest warrant to get him arrested so as to make him undergo the remaining sentence.

18.12.2017
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No