

101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 3390 of 2016 (O/M)
Date of decision : 6.11.2017

Kewal Krishan Revisionist

Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Shalender Mohan, Advocate, for revisionist.
Mr. R.K. Makkad, DAG Haryana.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

Heard. Custody certificate dated 4.11.2017 filed in Court today and same is taken on record.

Revisionist was convicted under Section 174-A IPC, vide judgment of conviction dated 14.3.2012 and order of sentence dated 16.3.2012, passed by the learned Sub Divisional Judicial Magistrate, Hansi, for having become a proclaimed offender in a case pending against him pertaining to FIR No. 103, dated 25.3.1999, registered under Sections 323, 324, 452 and 506 IPC, at Police Station Hansi. He was sentenced to undergo rigorous imprisonment for six months and fine of Rs. 3,000/-. He has remained a proclaimed offender for nearly three years.

The learned counsel for revisionist contends that as it has been recorded in the judgment of the lower appellate Court itself that revisionist has been acquitted in the main case. It is contended that revisionist was wrongly informed by his counsel that he has been acquitted. Therefore, he did not appear before the Court. It was not a very serious offence. When revisionist came to know that he has not been acquitted by the lower Court,

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he himself surrendered before the Court.

Considering the fact that revisionist has already faced the trial, in which he has been declared a proclaimed offender and subsequently acquitted in said case and considering that revisionist has undergone nearly two months of imprisonment in this case, the sentence of rigorous imprisonment for six months, awarded under Section 174-A IPC, is reduced to the period already undergone by him.

With the abovenoted modification in sentence, revision is dismissed.

(KULDIP SINGH)
JUDGE

6.11.2017

sjks

Whether speaking / reasoned : Yes

Whether Reportable : No