

The allegations against accused-revisionist are that two bags of beef alongwith skin, weighing 30 kg each, alongwith articles used for slaughtering calf were recovered from the possession of accused-revisionist on 19.5.2010. The learned Judicial Magistrate 1st Class, Amritsar, held that the offences are proved. The provisions of the Punjab Prohibition of Cow Slaughter Act, 1955, (in short 'the Act') show that Sections 3 and 5 of the Act are not the penal provisions. Only Section 8 of the Act provides for the

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penalty. Therefore, apparently, punishment is under Section 8 of the Act and Sections 3 and 5 of the Act have been wrongly mentioned.

The learned counsel for revisionist does not press the revision on merits and contends that revisionist has already undergone almost 8 months of imprisonment. There is no previous conviction against him and a lenient view may be taken.

Considering the facts and circumstances of the case and the period already undergone by revisionist, the substantive sentence of rigorous imprisonment for two years is reduced to nine months. Since the maximum fine cannot be more than Rs. 1,000/-, therefore, the fine is also reduced from Rs. 3,000/- to Rs. 1,000/-, while maintaining the remaining part of the sentence. Let revisionist be taken into custody to undergo the remaining part of the sentence.

With the abovenoted modification, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

5.7.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No