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

**CRR No.4210 of 2016**

**Date of Decision: 08.02.2017**

**BALWINDER SINGH @ BILLU**

**.....Petitioner**

**Vs**

**STATE OF PUNJAB**

**.....Respondent**

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

Present: Mr. N.S. Dandiwal, Advocate  
for the petitioner.

Mr. Shilesh Gupta, Addl. A.G., Punjab.

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**RAJ MOHAN SINGH, J. (Oral)**

[1]. Custody certificate filed by learned State counsel is taken on record.

[2]. Petitioner was convicted and sentenced to undergo rigorous imprisonment for one year and to pay fine of Rs.1,000/- along with default mechanism under Section 25/54/59 of the Arms Act (for short 'the Act'). Conviction of the petitioner was maintained by the lower Appellate Court.

[3]. The prosecution started with the allegations that on 21.03.2007, the petitioner was apprehended at the bank of the drain when police party was on patrolling duty. Petitioner on

seeing the police party, tried to slip away. On being asked, he disclosed his name and thereafter one country made .12 bore pistol was recovered from the person of the petitioner. Three live cartridges were also recovered, which were taken in police possession. Since the petitioner could not be able to produce any licence to keep the weapon along with cartridges in his possession, therefore, he was tried for the offence under Section 25/54/59 of the Act.

[4]. Petitioner was chargesheeted to which he pleaded not guilty and claimed trial. Thereafter prosecution led evidence. Statement of the petitioner was also recorded under Section 313 Cr.P.C. and all the incriminatory evidence was put to him to which he claimed false implication.

[5]. Trial Court on the basis of material on record, convicted the petitioner under Section 25/54/59 of the Act and accordingly sentenced him to undergo rigorous imprisonment for one year along with fine of Rs.1,000/- and in the event of default in making payment of fine, he was to further undergo rigorous imprisonment for 15 days.

[6]. Petitioner remained unsuccessful before the lower Appellate Court and his appeal was dismissed vide judgment dated 04.07.2016.

[7]. During course of arguments, learned counsel for the

petitioner has not challenged the conviction but submitted that out of total sentence of one year, the petitioner has already undergone 10 months 22 days of actual sentence including period of remissions of two months. Learned counsel prays for reduction of sentence on the ground that the petitioner being a poor person has to maintain his family. He is the first offender. The amount of fine has already been paid.

[8]. Taking into consideration the totality of facts and circumstances of the case, I deem it appropriate to reduce the sentence of the petitioner for the period he has already undergone.

[9]. This revision petition is accordingly disposed of.

February 08, 2017

*Atik*

**(RAJ MOHAN SINGH)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No