

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

**CRR No. 4473 of 2016(O&M)**

**Date of decision: 30.5.2017**

Angrej Singh and others

....Petitioners

VERSUS

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: Mr. M.S. Khaira, Senior Advocate with  
Mr. R.S. Khaira, Advocate for the petitioners.

Mr. Ankur Jain, AAG, Punjab.

Mr. G.S. Jagpal, Advocate for the complainant.

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**REKHA MITTAL, J.**

The present petition directs challenge against judgments passed by the Courts below whereby the petitioners have been convicted and sentenced for offence punishable under Sections 406, 498-A and 323 read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC').

Counsel for the petitioners, on 28.02.2017, submitted that the petitioners do not press the petition on merits but petitioners No.1 and 3 namely Angrej Singh and Gurdev Kaur (parents in law of the complainant) may be heard on quantum of sentence. This apart, I have gone through the consistent findings recorded by the Courts below holding the petitioners guilty of the aforesaid offences but am unable to find any patent error much less illegality in those findings warranting intervention. That being so, no interference in the judgments passed by the Courts below qua conviction of the petitioners is warranted.

This brings the Court to the sentence awarded to the petitioners. Counsel for the petitioners has submitted that Angrej Singh and Gurdev Kaur, parents of Ranjit Singh (husband of the complainant) are more than 75 years old. They have faced agony of criminal proceedings for the past more than 12 years. They have suffered custody for a period of about 6 months. He has prayed that substantive sentence awarded to Angrej Singh and Gurdev Kaur may be reduced to the period already undergone.

Counsel representing State of Punjab assisted by counsel for the complainant has opposed the prayer for reduction in sentence of Angrej Singh and Gurdev Kaur.

I have heard counsel for the parties and perused the paper-book.

The criminal law was set in motion at the behest of Amandeep Kaur wife of Ranjit Singh by lodging FIR on 22.04.2005. Marriage of Amandeep Kaur with Ranjit Singh was performed on 19.01.2003. The complainant levelled allegations against Ranjit Singh (her husband), Angrej Singh and Gurdev Kaur (parents in law), Karamjit Kaur and Kanwaljit Kaur. All the five accused faced trial that culminated in the judgment dated 01.08.2013 passed by the Judicial Magistrate Ist Class, Jagraon whereby all the accused were held guilty for committing offence punishable under Sections 406, 498-A and 323 read with Section 34 IPC and were accordingly sentenced for the said offences. The maximum sentence of two years each was awarded for both the offences under Section 406 and 498-A IPC but the substantive sentences were ordered to run concurrently. The judgment passed by the trial Court became subject

matter of appeal preferred by all the convicts and the Appellate Court affirmed the findings recorded by the trial Court against the present petitioners whereas the co-accused namely Karamjit Kaur and Kanwaljit Kaur were acquitted of the offences vide judgment dated 08.11.2016. Meaning thereby that Karamjit Kaur and Kanwaljit Kaur, relatives of the present petitioners faced the criminal proceedings for more than 10 years though ultimately they were exonerated of the alleged culpability brought-forth by the complainant. Angrej Singh and Gurdev Kaur, petitioners are stated to be more than 75 years of age. There is no counter to this submission by counsel for the respondents. They have faced rigmarole of criminal proceedings for the past more than 12 years.

Keeping in view the aforesaid facts and circumstances, in my considered opinion, interest of justice would be met if substantive sentence awarded to Angrej Singh and Gurdev Kaur for offence under Sections 406 and 498-A IPC is reduced to rigorous imprisonment for a period of one year for each of the offences. It is clarified that sentence for all the offences proved against the petitioners shall run concurrently. However, sentence awarded to Ranjit Singh – petitioner is ordered to be affirmed.

The petition stands disposed of with modification in the aforesaid terms.

**MAY 30, 2017**

‘D. Gulati’

**(REKHA MITTAL)**

**JUDGE**

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | yes/no |
| Whether reportable        | : | yes/no |