

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

CRR No.4684 of 2016

Date of Decision:21.11.2017

Jagdeep Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Simi, Advocate for Mr. Narinder S. Lucky,
Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Kuldip Singh, J.(Oral)

Petitioner being an accused in FIR No.124 dated 05.12.2001 registered under Sections 229/338/427 IPC was declared Proclaimed Offender on 30.09.2010 by Sub Divisional Judicial Magistrate, Samrala. The petitioner filed a quashing petition before this Court. He was ultimately arrested on 21.02.2011. The trial Court sentenced the petitioner to undergo rigorous imprisonment for one year under Section 174-A IPC and to pay fine of ₹2,000/- and in default thereof further to undergo RI for 30 days. The appeal was dismissed by the learned Additional Sessions Judge, Ludhiana on 06.12.2016.

Learned counsel for the petitioner restricts his prayer only on the point of quantum of sentence. It is contended that in that case, offences were bailable. The petition for quashing was filed before this Court on the basis of compromise, which was disposed of. Ultimately, before the Lower Court, compromise was effected and the petitioner was released on

probation. As per custody certificate dated 09.10.2017, the petitioner had already undergone the actual sentence of two months and 7 days. Considering that in the main case, the parties had compromised, the sentence of RI for one year is reduced to the period already undergone by the petitioner. However, the fine is enhanced from ₹2,000/- to ₹20,000/- payable to the State as litigation cost.

With the above modification in the sentence, the present petition is dismissed.

November 21, 2017
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(KULDIP SINGH)
JUDGE

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| 1. | Whether Speaking/ Non Speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |