

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

CRR No. 4741 of 2016 (O&M)

Date of Decision: 18.09.2017

RESHAM SINGH @ BABLI

... Petitioner

VS.

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Gagandeep Singh Chhina, Advocate,
for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

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?*

KULDIP SINGH, J. (Oral)

The accused-petitioner was convicted under Sections 325, 326 and 506 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for a period of three years and a fine of ₹1,000/- and in default thereof to further undergo rigorous imprisonment for 15 days under Section 325 of Indian Penal Code, to undergo rigorous imprisonment for a period of three years and a fine of ₹1,000/- and in default thereof to further undergo rigorous imprisonment for 15 days under Section 326 and to further undergo rigorous imprisonment for a period of two years under Section 506 IPC vide judgment of conviction and order of sentence dated 12.12.2013 passed by the learned Judicial Magistrate Ist Class, Sunam. The appeal against the said judgement of conviction and order of sentence has been dismissed vide order dated 30.05.2016 passed by the learned Additional Sessions, Judge Sangrur wherein the sentence of the accused-petitioner was upheld. However, all the sentences were directed to run concurrently.

Learned counsel for the petitioner has argued that there were three injuries on the person of Sardar Kaur. One of the injury was a fracture

on the right arm. He presses the present revision on the point of quantum of sentence only.

Custody Certificate dated 12.09.2017 shows that the petitioner has undergone total sentence of 1 year and 6 months including remissions. It is further stated that the petitioner is not a previous convict and no other criminal case is pending or decided against him.

Considering the nature of the injuries and taking into consideration the totality of the circumstances, the sentence of rigorous imprisonment for three years awarded under Section 325 IPC, rigorous imprisonment awarded for three years under Section 326 IPC and rigorous imprisonment for two years awarded under Section 506 is reduced to rigorous imprisonment for 1 year and 6 months on each count while maintaining the other part of the sentence awarded to the petitioner. The petitioner is directed to pay another sum of ₹5,000/- as compensation to the Sardar Kaur, injured or in case of her death, to her legal heirs. He be released forthwith on completion of the sentence, if not required in any other case.

With this modification in the quantum of sentence of the petitioner as indicated herein above, the present revision petition stands dismissed.

September 18, 2017

Suresh Kumar

**[KULDIP SINGH]
JUDGE**

Whether speaking / reasoned :

✓
Yes / No

Whether Reportable :

✓
Yes / No