

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

**CRR No. 1138 of 2017**

**Date of Decision: 26.05.2017**

Resham @ Sunita and another

...Petitioners

**VERSUS**

State of Haryana

...Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. J.P. Jangu, Advocate  
for petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

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**SURINDER GUPTA, J.(Oral)**

This is revision filed by Resham @ Sunita and Pooja against judgment dated 02.03.2017 passed by Sessions Judge, Rewari dismissing appeal of petitioners against judgment passed by Chief Judicial Magistrate, Rewari, convicting and sentencing petitioners for offence punishable under Section 379 of Indian Penal Code (for short 'IPC').

2. As per case of prosecution, Suman wife of Yashvir alongwith her sister-in-law came to Rewari on 24.10.2012. At about 12.30 p.m., when they were standing at the bus-stand and waiting for auto-rickshaw, an auto-rickshaw came there which they boarded. In that auto-rickshaw, one girl and one woman were already sitting. While complainant was travelling in that auto-rickshaw, the girl sitting with her, broke golden chain of complainant and handed over the same to other lady sitting alongwith her. This was seen by sister-in-law of the complainant and driver was asked to stop the auto-rickshaw. The woman, who had broken the golden chain, was apprehended at the spot and the police was called.

3. Learned counsel for petitioners has mainly stressed on the point that identity of petitioners as the persons, who had removed golden chain of complainant, is not duly proved. The case of prosecution was based on the statement of complainant and her sister-in-law and there was no independent corroboration.

4. Both the Courts below have looked into this aspect and have observed that petitioners were apprehended at the spot and recovery of golden chain was effected from them. There was no reason for their false implication. On perusal of judgments of Courts below, I find no legal or factual infirmity therein calling for any interference in this revision petition, as such, conviction of petitioners for offence punishable under Section 379 IPC is maintained.

5. Here, learned counsel for petitioners has requested for taking a lenient view regarding the quantum of sentence awarded to petitioners.

6. The Appellate Court has already reduced the sentence of imprisonment awarded to petitioners by the trial Court from rigorous imprisonment for one year to rigorous imprisonment for six months. Keeping in view the gravity of offence, no reason is made out to further reduce the sentence as awarded to petitioners.

7. This revision petition has no merit and the same is dismissed.

May 26, 2017

*jk*

( SURINDER GUPTA )  
JUDGE

***Whether speaking/reasoned:***

***Yes/No***

***Whether Reportable:***

***Yes/No***