

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No. 1250 of 2017 (O&M)
Date of Decision: 14.07.2017

RAHUL PURI

...Petitioner

VS.

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. M.S. Bajwa, Advocate,
 for the petitioner(s).

Mr. Davinder Bir Singh, DAG, Punjab.

KULDIP SINGH, J. (ORAL)

The petitioner, Rahul Puri in the present criminal revision was convicted by the learned Judicial Magistrate Ist Class, Amritsar vide order dated 09.03.2015, under Sections 381 read with Section 34 of IPC and sentenced to undergo rigorous imprisonment for a period of one year and to pay fine of ₹1,000/- and in default thereof to further undergo rigorous imprisonment for 15 days on the allegations of committing theft of two bags of shawls. The appeal against the said judgment has been dismissed by the learned Additional Sessions Judge, Amritsar vide order dated 23.02.2017.

The short prayer made at this stage is for showing leniency in the sentence of the petitioner.

According to the custody certificate dated 14.07.2017 in respect of the petitioner, filed in the Court today, it comes out that the petitioner has undergone little more than 6 months out of actual sentence including the remissions. There is neither any previous conviction against the petitioner and nor any other case is pending against him. This fact goes to show that the petitioner is the first offender.

Keeping in view the fact that the petitioner is convicted for the first time and sufficient period of sentence has already been undergone by him, the sentence of rigorous imprisonment for one year awarded to the petitioner under Section 381 IPC read with Section 34, is ordered to be reduced to the period already undergone by him. The petitioner be released forthwith, if not required in any other case after payment of cost as well as the fine, if not paid so far.

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

July 14, 2017

Suresh Kumar

**(KULDIP SINGH)
JUDGE**

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No