

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No. 1390 of 2017 (O&M)

Date of Decision: 10.07.2017

BALBIR KAUR

...Petitioner

VS.

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Amit Kumar Walia, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

KULDIP SINGH, J. (ORAL)

Heard the arguments on the point of quantum of sentence only.

Custody Certificate dated 10.07.2017 in respect of the petitioner
has been filed in the Court today. The same is taken on record.

The present petitioner alongwith the co-accused Tarlochan Singh,
Ajaib Singh and Jasvir Singh, vide judgement dated 21.07.2016 passed by the
learned Judicial Magistrate Ist Class, Sangrur, has been ordered to undergo the
following sentences: -

<i>Under Section(s)</i>	<i>Sentence</i>
<i>465 of IPC</i>	<i>To undergo rigorous imprisonment for 2 years and to pay fine of ₹500/- and in default of payment of fine, she shall further undergo rigorous imprisonment for one month.</i>
<i>467 of IPC</i>	<i>To undergo rigorous imprisonment for 3 years and to pay fine of ₹500/- and in default of payment of fine, she shall further undergo rigorous imprisonment for one month.</i>
<i>468 of IPC</i>	<i>To undergo rigorous imprisonment for 3 years and to pay fine of ₹500/- and in default of payment of fine, she shall further undergo rigorous imprisonment for one month.</i>
<i>471 of IPC</i>	<i>To undergo rigorous imprisonment for 3 years and to pay fine of ₹500/- and in default of payment of fine, she shall further undergo rigorous imprisonment for one month.</i>
<i>419 of IPC</i>	<i>To undergo rigorous imprisonment for 3 years and to pay fine of ₹500/- and in default of payment of fine, she shall further undergo rigorous imprisonment for one month.</i>
<i>120-B of IPC</i>	<i>To undergo rigorous imprisonment for 3 years and to pay fine of ₹500/- and in default of payment of fine, she shall further undergo rigorous imprisonment for one month.</i>

All the sentences were directed to run concurrently by the trial Court.

In the appeal before the learned Additional Sessions Judge, Sangrur, the sentence of the petitioner was reduced from three years to two years on each count vide judgment dated 05.04.2017.

Learned counsel for the petitioner has argued that since, the petitioner is 85 years of age, therefore leniency in sentence be shown.

The perusal of the judgment of trial Court shows that the petitioner had alleged to have been impersonated a dead lady before the Court as a result of which a consent decree was passed against her. The allegations are serious. However, considering the advanced age of the petitioner, the sentence of rigorous imprisonment for two years on each count awarded under Sections 465, 467, 468, 471, 419 and 120-B of Indian Penal Code is hereby reduced to rigorous imprisonment for one year on each count. However, remaining part of the sentence is maintained.

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

July 10, 2017

Suresh Kumar

**(KULDIP SINGH)
JUDGE**

		✓	
<i>Whether speaking / reasoned</i>	:	Yes	/ No
			✓
<i>Whether Reportable</i>	:	Yes	/ No