

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No. 1396 of 2017 (O&M)

Date of Decision: 10.07.2017

TARLOCHAN SINGH AND ANOTHER

...Petitioners

VS.

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Gurinder Singh, 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 petitioners alongwith the co-accused Balbir Kaur and
Jasvir Singh vide judgement dated 21.07.2016 passed by the learned Judicial
Magistrate Ist Class, Sangrur, have been ordered to undergo the following
respective sentences: -

Tarlochan Singh

<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, he 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, he 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, he 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, he 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, he 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, he shall further undergo rigorous imprisonment for one month.</i>
---------------------	--

Ajaib Singh

<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, he 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, he 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, he 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, he 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, he 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, he shall further undergo rigorous imprisonment for one month.</i>

All the sentences of both the accused-petitioners were directed to run concurrently by the trial Court.

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

The allegations against the accused-petitioners are that they are beneficiaries and identifiers of one Balbir Kaur who was impersonated as Gurnam Kaur (Since deceased) before the Court. As a result of this act, consent decree was passed against the deceased.

The short prayer made at this stage is for showing leniency in the sentence awarded to the petitioners.

After considering the facts and circumstances of the case, the nature of the offence and the fact that the accused-petitioners are facing trial

since 2009, 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 and a half 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

Whether speaking / reasoned	:	✓ Yes	/	No ✓
Whether Reportable	:	Yes	/	No