

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1402-2017 (O&M)
Date of decision: 14.07.2017

Hem Chand

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Navneet Singh, Advocate for the petitioner
Mr.Pawan Garg, Deputy Advocate General, Haryana

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Learned counsel for the petitioner contends that he does not contest the judgment of both the Courts below on merits and presses only on the quantum of sentence.

The petitioner was convicted vide judgment of conviction dated 2.3.2016 and order of sentence dated 3.3.2016 passed by learned Judicial Magistrate First Class, Gurugram for commission of an offence punishable under Section 379 IPC and sentenced to undergo Rigorous Imprisonment for six months along with fine of Rs.500/-, in default of payment of fine, to further undergo Simple Imprisonment for one month. The aforesaid judgment was affirmed by learned Additional Sessions Judge, Gurugram vide judgment 10.3.2017.

As per custody certificate filed on 25.5.2017, if the sentence already undergone by the petitioner is calculated, it comes to 4 months 17

days till date.

Prayer of learned counsel for the petitioner is that in view of the fact that there is no previous conviction of the petitioner, his sentence be reduced from six months to the period already undergone by him.

Considering the facts and circumstances, that there is no previous conviction against the petitioner, his sentence of Rigorous Imprisonment for six months is reduced to 4 months 17 days, as already undergone by him. The sentence of fine is maintained.

With the above noted modification, the revision petition is dismissed.

14.07.2017
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No