

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

CRR No.1890 of 2017 (O&M)

Date of Decision : 09.11.2017

Pargat Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Swapan Shorey, Advocate
for the petitioner.

Mr. Luvinder Sofat, Asstt. Advocate General, Punjab
for the respondent-State.

SUDIP AHLUWALIA, J. (ORAL)

CRM No.16974 of 2017

For the reasons mentioned in the application, the delay
of 404 days in filing the present appeal, is hereby, condoned.

The application is accordingly disposed off.

CRR No.1890 of 2017 (O&M)

Custody certificate of the petitioner placed on record
today, which goes to show that he has so far undergone sentence to
the extent of 01 year, 08 months and 13 days.

2. In the present revision petition, the petitioner has
challenged the judgment of the Ld. Trial Court being Sub

Divisional Judicial Magistrate, Sunam as well as that of the Lower Appellate Court (Additional Sessions Judge-III, Sangrur), whereby his original conviction was sustained and sentence of Rigorous Imprisonment for three years along with a fine of Rs.3000/- thousand was awarded.

3. Ld. Counsel for the petitioner has placed on record a copy of the judgment passed by a Co-ordinate Bench of this Court in **CRR No.3961 of 2015-Jarnail Singh vs. State of Punjab**, **CRR No.3963 of 2015-Hardeep Singh vs. State of Punjab** and **CRR No.4179 of 2015-Satnam Singh vs. State of Punjab**, on 21st September, 2016.

4. Perused the aforesaid judgment in which the sentences awarded to other three co-convicts, namely Jarnail Singh, Hardeep Singh and Satnam Singh were modified. The sentences in respect of convicts, namely Jarnail Singh and Hardeep Singh were reduced to the period already undergone by them subject to payment of a fine of Rs.25,000/- each. In respect of convict-Satnam Singh, the sentence was reduced from three years to two years under Section 382 of the IPC subject to payment of Rs.50,000/- as fine to be paid with a period of three months from the date of aforesaid judgment.

5. The position of the present petitioner is identical to that

of co-convict, namely Satnam Singh. Both of them had absented themselves from the proceedings in the Ld. Appellate Court, on account of which an identical sentence of Rigorous Imprisonment of three years apart from a fine of Rs.3000/- was pronounced against each of them.

6. In the given circumstances, the present petition of the petitioner is disposed off in a similar fashion. The sentence awarded to him is reduced from three years to two years under Section 382 of the IPC subject to payment of Rs.50,000/- as a fine to be paid within a period of three months from today.

7. In case, the payment of fine of Rs.50,000/- is not deposited within the stipulated period, the present revision petition shall be deemed to be dismissed.

8. CRM No.16975 of 2017 seeking suspension of sentence also stands disposed off in view of final order in the main petition.

November 09, 2017

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No