

223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.2004 of 2017 (O&M)
Date of decision : August 03, 2017

Avtar Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Harinder Singh, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

- 1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
- 2. To be referred to the Reporter or not.
- 3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

The petitioner was convicted and sentenced by the learned Judicial Magistrate 1st Class, Fatehgarh Sahib, vide judgment of conviction and order of sentence dated 04.09.2015, which is as under:

<i>Sr. No.</i>	<i>Offence</i>	<i>Imprisonment</i>	<i>Fine</i>	<i>In default of payment of fine</i>
1	420 IPC	R.I. for 1 year	Rs.2,000/-	Two months
2	467 IPC	R.I. for 1 year	Rs.2,000/-	Two months
3	468 IPC	R.I. for 1 year	Rs.2,000/-	Two months
4	471 IPC	R.I. for 1 year	Rs.2,000/-	Two months
5	465 IPC	R.I. for 1 year	NIL	--

All the substantive sentences were directed to run concurrently.

The appeal filed against the said judgment was dismissed by the learned Addl. Sessions Judge, Fatehgarh Sahib vide judgment dated 31.01.2017.

Heard.

Learned counsel for the petitioner has pressed the present revision petition only on the point of quantum of sentence.

Custody certificate of the petitioner has been filed in the Court today and the same is taken on record. It shows that the petitioner has already undergone the actual sentence of 8 months and 4 days and with remission 9 months and 4 days as on today.

The allegations against the petitioner are that the petitioner had applied for the passport in the name of his deceased brother.

Learned counsel for the petitioner states that the petitioner is facing agony of trial for the last ten years and he has one daughter of marriageable age. Therefore, some leniency may be shown.

Considering the facts and circumstances of the case, the sentence awarded to the petitioner for the commission of offence punishable under Sections 420, 467, 468, 471 and 465 IPC is reduced from rigorous imprisonment for one year to rigorous imprisonment for 10 months on each count. However, the remaining part of the sentences is maintained.

With the abovenoted modification, the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

August 03, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No