

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR 2018-2017 (O&M)
Date of decision: 13.09.2017

Pargat Singh

.....Petitioner

versus

State of Haryana and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Rakesh Gupta, Advocate for the petitioner
Mr.Pawan Garg, Assistant Advocate General, Haryana
Mr.Navmohit Singh, Advocate for respondent No.2

- 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)

Petitioner along with the co-accused Satnam Singh was convicted and sentenced under Section 323 read with Section 34 IPC by learned Judicial Magistrate 1st Class, Assandh (Karnal) vide judgment of conviction and order of sentence dated 16.2.2015/18.2.2015 and were ordered to be released on probation on furnishing probation bond of Rs.40,000/-with one surety in the like amount for a period of six month by giving an undertaking to maintain good behaviour and will not repeat any such offence during the probation period. The appeal filed by the complainant for enhancing the sentence was partly allowed. Judgment of conviction and order of releasing of Pargat Singh present petitioner on probation was set aside and he was sentenced to undergo rigorous imprisonment for six months under Section 323 read with Section 34 IPC by learned Additional Sessions Judge, Karnal vide judgment dated 8.5.2017.

Against the said order Pargat Singh has come in the present petition.

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

Custody certificate dated 12.9.2017 filed in Court is taken on record. It shows that the petitioner has already undergone total sentence of 5 months and 20 days including remissions.

Considering the fact that the petitioner was released on probation by the lower Court and he is the first offender, sentence of six months passed by learned Additional Sessions Judge, Karnal is reduced to the period already undergone by him. He be released forthwith, if not required in any other case.

Petition is partly allowed to the above noted extent.

13.09.2017

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:	Yes
Whether Reportable:	No