

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

**CRR-2020-2017 (O&M)  
Date of decision : 27.11.2017**

Pammi Singh @ Paramjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR.JUSTICE H.S. MADAAN**

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

Ms. Samina Dhir, DAG, Punjab.

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**H.S. MADAAN, J. (Oral)**

**CRM-18137-2017**

Learned counsel for the applicant-petitioner submits that he does not press the application for suspension of sentence of imprisonment of the applicant-petitioner and he is ready with arguments in the main criminal revision.

In view of above, CRM stands disposed of being not pressed.

In view of the oral request made by learned counsel for the applicant-petitioner, let the main criminal revision be taken up on board.

**CRR-2020-2017**

Pammi Singh alias Paramjit Singh an accused in FIR No.02 dated 06.01.2015 for offences under Sections 353, 186 and 506 IPC registered with Police Station Cheema, Sangrur was tried by Sub-Divisional Judicial Magistrate, Sunam who convicted him for offences under Sections 353 and 506 IPC and vide order of even date sentenced him as under:-

*“To undergo rigorous imprisonment for a period of one year and six months and to pay fine of ₹500/-, in default of payment of fine, to further undergo rigorous imprisonment for a period of one month and fifteen days for offence under Section 353 IPC.*

*To undergo rigorous imprisonment for a period of six months for offence under Section 506 IPC.”*

Both the sentences were ordered to run concurrently.

Briefly stated facts of the case as per prosecution version are that a team of officials of Power Com, namely Gian Singh A.J.E., Jaspal Singh J.E., Surjit Singh Lineman and Gurpreet Singh Bill Distributor had gone to collect the amount from consumers in village Sheron on 01.01.2015; that when the team reached the residence of Major Singh son of Inder Singh for recovery of the amount due, his son namely Pammi Singh was present there, who on their demand for the amount due, started hurling filthy abuses upon them; that he picked up a Kassi (Spade) and threatened to kill the team members rather assaulted them resulting in scuffle with Surjit Singh Assistant Lineman and the accused tore his uniform; that the other officials intervened and separated them; that the team members had to run away to save their lives at the hand of Pammi Singh, who prevented them

from discharging their official duty and threatened to kill them. Formal FIR was recorded on the basis of written complaint sent by Assistant Executive Engineer, Power Com, Sub-Division Longowal to the officer-in-charge of Police Station Cheema on 01.01.2015. The matter was investigated, accused was arrested in this case.

After completion of investigation and other formalities, he was challaned. On presentation of challan in the Court, copies of documents were supplied to the accused free of cost as envisaged under Section 207 Cr.P.C.

Finding a prima facie case punishable under Sections 353, 186 and 506 IPC, was made out against the accused and he was charge-sheeted accordingly, to which he pleaded not guilty and claimed trial.

During course of prosecution evidence, it examined as many as five witnesses i.e. Surjit Singh Assistant Lineman as PW-1, Gian Singh A.J.E. as PW-2, Gurpreet Singh as PW-3, Rajwant Kumar ASI (I.O.) as PW-4 and Surjit Singh, son of Puran Singh as PW-5.

With that the prosecution evidence got concluded.

Statement of accused was recorded under Section 313 Cr.P.C. in which all the incriminating circumstances appearing against accused were put to him, but he denied the allegations contending that he is innocent and has been falsely implicated in the present case.

Accused did not lead any evidence in defence.

After hearing arguments, the trial Court convicted the accused for offences under Sections 353 and 506 IPC mentioned above, whereas he was acquitted of the remaining charge. Feeling aggrieved against the said judgment of conviction and order of sentence had preferred an appeal to the

Court of Sessions, which was assigned to learned Additional Sessions Judge, Sangrur, who vide judgement dated 13.12.2016 upheld the judgement of conviction and order of sentence passed by the trial Magistrate, whereas appeal was dismissed.

Feeling dissatisfied with the impugned judgment, he has filed the criminal revision before this Court.

I have heard learned counsel for the parties, besides going through the record.

At the very outset, learned counsel for the petitioner submitted that he does not challenge the judgments passed by the Courts below on the point of conviction but has got submissions to make as regards the sentence part. He has contended that the accused-convict is married and is a first offender, fortunately in the assault no team member had received any injury. The petitioner has already undergone substantial period of imprisonment, therefore a lenient view in the matter be taken and sentence awarded to him be reduced.

On the other hand learned State counsel submits that the sentence imposed should not be interfered with and rather should be confirmed. A perusal of the custody certificate of the petitioner submitted by the State counsel goes to show that the he has already undergone one year, two months and nine days of total sentence including remissions out of total of one year and six months.

After hearing the rival contentions, I find that ends of justice would be properly met if petitioner – Pammi Singh alias Paramjit Singh is sentenced to imprisonment already undergone by him while in custody in the present case, whereas the part of conviction relating to payment of fine

is kept as intact. Therefore, the impugned judgment is upheld as regards conviction part qua petitioner – Pammi Singh alias Paramjit Singh.

However, as far as sentence part is concerned the same is modified and he is sentenced to imprisonment already undergone by him in this case i.e. total sentence including remissions i.e. one year, two months and nine days. Whereas the sentence regarding payment of fine of ₹500/- in default of payment of fine to undergo rigorous imprisonment for one month and fifteen days remains intact.

With such modification appeal qua petitioner – Pammi Singh alias Paramjit Singh stands disposed of. He be released from the custody on deposit of fine if not required in any other case.

Intimation in this regard be sent to the quarter concerned

**27.11.2017**

*Gaurav Sorot*

**( H.S. MADAAN )  
JUDGE**

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**