

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 2217 of 2017 (O/M)
Date of decision : 12.7.2017

Pardeep

..... Revisionist

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Devender Nirban (Rao), Advocate, for the revisionist.

Mr. R.K. Makkad, Deputy Advocate General, Haryana.

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 ?
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KULDIP SINGH J. (ORAL)

On the last date of hearing, notice of motion was issued only on the quantum of sentence. Heard on the quantum of sentence.

In the present case, the revisionist was convicted for the offences punishable under Sections 186 and 188 IPC and was sentenced as under by the learned Judicial Magistrate 1st Class, Mohindergarh, vide judgment of conviction dated 12.4.2016 and order of sentence dated 18.4.2016 :-

Offence

Sentence

U/S 186 IPC

Rigorous imprisonment for three months with fine of Rs. 500/-. In default of payment of fine to further undergo simple imprisonment for 15 days.

U/S 188 IPC

Rigorous imprisonment for one month with fine of Rs. 200/-. In default of payment of fine to further undergo simple imprisonment for 15 days.

The appeal against the said judgment was dismissed by the learned Sessions Judge, Narnaul, vide judgment dated 5.6.2017.

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Custody certificate of revisionist filed in Court today and the same is taken on record. The perusal of the custody certificate shows that the revisionist has already undergone actual sentence of 1 month and 12 days (as on 11.7.2017), out of maximum three months awarded by the trial Court.

The learned counsel for revisionist contends that revisionist is 27 years of age. He has been sufficiently punished. Therefore, the prayer is to reduce the sentence to the period already undergone by him.

Considering the facts and circumstances and the fact that the allegations are of scuffle with a police officer and no major injury was caused, the sentence of revisionist under Sections 186 and 188 IPC is reduced to the period already undergone by him. However, fine is enhanced from Rs. 500/- to Rs. 5,000/- under Section 186 IPC and from Rs. 200/- to Rs. 2,000/- under Section 188 IPC.

With the abovenoted modification, revision is dismissed. Let revisionist be released on deposit of the remaining part of the fine.

(KULDIP SINGH)
JUDGE

12.7.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No