

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 2302 of 2017 (O/M)
Date of decision : 6.7.2017

Shishpal

..... Revisionist

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. P.S. Jammu, Advocate, for the revisionist.

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 learned counsel for revisionist restricts his prayer to quantum of sentence only.

In this case, Shishpal (revisionist) has been convicted alongwith co-accused by the learned Chief Judicial Magistrate, Sirsa, under Sections 452, 323 and 325 IPC read with Section 34 IPC, vide judgment of conviction and order of sentence dated 5.2.2015, and was sentenced as under :-

<u>Offence</u>	<u>Sentence awarded</u>
452/34 IPC	To undergo rigorous imprisonment for a period of one year and to pay a fine of Rs. 400/- each. In default of payment of fine, convicts shall further undergo simple imprisonment for a period of twenty days each.
323/34 IPC	To undergo rigorous imprisonment for a period of six months and to pay a fine of Rs. 300/- each. In default of payment of fine, convicts shall further undergo simple imprisonment for a period of fifteen days each.
325/34 IPC	To undergo rigorous imprisonment for a period of two years and to pay a fine of Rs. 500/- each. In default of payment of fine, convicts shall further undergo simple imprisonment for a period of one month each.

All the sentences were ordered to run concurrently. The

CRR No. 2302 of 2017 (O/M)

judgment of conviction and order of sentence dated 5.2.2015, passed by the learned Chief Judicial Magistrate, Sirsa, was upheld in appeal by the learned Additional Sessions Judge, Sirsa, vide judgment dated 24.4.2017.

The learned counsel for revisionist has contended that the grievous injury was not attributed to revisionist, but it was infact attributed to co-accused, namely, Har Lal, who has already died. Therefore, he has prayed for leniency in the matter of sentence.

Considering the facts and circumstances and the fact that except the injury attributed to co-accused Har Lal, the other injuries were found to be simple in nature, rigorous imprisonment for one year under Section 452 IPC read with Section 34 IPC and rigorous imprisonment for two years under Section 325 IPC read with Section 34 IPC, are reduced to rigorous imprisonment for nine months each, while the sentence of fine is maintained. The sentence awarded under Section 323 IPC read with Section 34 IPC is maintained.

With the abovenoted modification, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

6.7.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No