

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

**CRR No.2640 of 2017 (O&M)
Date of decision : September 12, 2017**

Krishan Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ravinder Malik, Advocate for the petitioner.

Mr. Pawan Garg, AAG, 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 ?

KULDIP SINGH J. (ORAL)

This is revision against the judgment dated 26.07.2017 passed by learned Addl. Sessions Judge, Karnal, affirming the judgment of conviction dated 05.02.2014 and order of sentence dated 07.02.2014 passed by learned Judicial Magistrate 1st Class, Karnal, whereby the present petitioner was convicted for the commission of offence punishable under Section 406 IPC and sentenced to undergo simple imprisonment for one year and to pay a fine of ₹2,000/-, in default of payment of fine to further undergo simple imprisonment for one month.

Custody certificate of the petitioner has been filed in the Court today and the same is taken on record.

The allegations against the petitioner are that he being a registered agent of Reliance General Insurance Company, issued a cover note to the complainant for the insurance of his vehicle from 22.11.2007 to 21.11.2008 and received ₹6,902/-. However, he did not pay the said money

to the Insurance Company with the result that cover note was cancelled.

Learned counsel for the petitioner contends that the petitioner had issued a cheque to the Insurance Company, which was dishonoured.

The fact remains that the money was not paid to the Insurance Company either by cheque or cash.

Learned counsel for the petitioner has argued that later on, the petitioner had paid the money to the Insurance Company, for which valid cover note was issued.

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

Considering the facts and circumstances of the case and the fact that the petitioner is neither the previous convict nor any trial is pending against him, the sentence of simple imprisonment for one year awarded to him is reduced to simple imprisonment for nine months. However, the remaining part of the sentence shall remain intact.

With the abovenoted modification in the sentence of imprisonment, the present revision petition is disposed of.

(KULDIP SINGH)
JUDGE

September 12, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No