

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.3029 of 2017 (O&M)
Date of decision : November 15, 2017

Krishan and another Petitioners

Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sunil Saharan, Advocate for the petitioners.

Mr. R.K. Makkad, DAG, 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)

Heard.

Custody certificates of both the petitioners have been filed in the Court today and the same are taken on record.

Both the petitioners, namely Krishan and Bhajan Lal were convicted and sentenced by the learned Addl. Chief Judicial Magistrate, Hisar, vide judgment of conviction dated 27.10.2014 and order of sentence dated 28.10.2017 as under to each :

Sr. No.	Offence	Imprisonment	Fine
1	452 r/w 34 IPC	R.I. for 1 year	₹500/-
2	323 r/w 34 IPC	R.I. for 6 months	--
3	506 r/w 34 IPC	R.I. for 6 months	--

In default of payment of fine, both the petitioners were directed to further undergo simple imprisonment for a period of 15 days. All the sentences were directed to run concurrently.

The appeal filed by both the petitioners was dismissed by the learned Addl. Sessions Judge, Hisar, vide judgment dated 11.08.2017.

The present revision has been pressed on the point of quantum of sentence only.

A perusal of the lower court judgment shows that both the petitioners are alleged to give a *danda* blow respective on the left arm and chin of complainant Inder Singh. Both the injuries were found simple in nature, which attracts Section 323 IPC.

As per custody certificate, both the petitioners have undergone total sentence of 4 months 13 days each including remission of 1 month and 8 days.

Considering the fact that the injuries are simple in nature and after considering the period already undergone by both the petitioners, the sentence awarded to them is reduced to the period already undergone by them. They be released forthwith, if not required in any other case.

With the abovenoted modification, the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

November 15, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No