

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

CRR No. 3215 of 2017 (O&M)

Date of decision: 12.10.2017

DHARAMPAL @ BILLA

..... Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Mr. S.S. Sahu, 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)

The present revision has been filed against the judgment of conviction dated 12.09.2014 and order of sentence dated 19.09.2014 passed by the learned Judicial Magistrate Ist Class, Fatehabad vide which the present petitioner alongwith co-accused was convicted for offence punishable under Section 382 of Indian Penal Code and sentenced to undergo rigorous imprisonment for a period of two year and to pay fine of ₹1,000/- and in default thereof to further under rigorous imprisonment for one month. However, in appeal, the learned Additional Sessions Judge, Fatehabad has modified the sentence of the petitioner and convicted him for the offence punishable under Section 411 read with Section 34 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of ₹1,000/- and in default thereof to further undergo simple imprisonment for one month.

Learned counsel for the petitioner has pressed the present revision only on the point of quantum of sentence awarded to the petitioner.

Custody Certificate 11.10.2017 has been filed in the Court today which shows that the petitioner has undergone actual sentence of 04 months and 03 days including remissions. It is further mentioned that the petitioner is not convicted in any other case nor any other case is pending against him.

Considering the facts and circumstances of the present case, the sentence of rigorous imprisonment awarded for a period of one year under Section 411 read with Section 34 of the Indian Penal Code is ordered to be reduced to the sentence of rigorous imprisonment for a period of six months under the said Section whereas the sentence of fine is maintained.

With the above mentioned modification in quantum of sentence, the present revision stands dismissed.

October 12, 2017
Suresh Kumar

(KULDIP SINGH)
JUDGE

Whether speaking / reasoned :	✓ Yes	/	No ✓
Whether Reportable :	Yes	/	No