

**211-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR No.3312 of 2017 (O&M)
Date of decision : November 16, 2017

Subhash and others **Petitioners**

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ashok Kumar Khunger, Advocate for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

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 on the quantum of sentence only.

In this case, a theft was committed in the Government Senior Secondary School, Maujgarh, on 13.12.2011. The stolen articles were recovered from the present petitioners. Learned Judicial Magistrate 1st Class, Abohar, vide judgment of conviction and order of sentence dated 30.07.2015 convicted the petitioners for the commission of offence punishable under Section 411 IPC and sentenced them to undergo rigorous imprisonment for one year and to pay a fine of ₹2,000/- each, in default of payment of fine to undergo further rigorous imprisonment for 15 days each. The appeal filed by the petitioners was dismissed by learned Addl. Sessions Judge, Fazilka, vide judgment dated 07.08.2017.

Learned counsel for the petitioners has prayed for showing some leniency in the sentence awarded to the petitioners.

It also comes out that an FIR No.43, dated 25.04.2012, in which the petitioners have also been convicted for same offence regarding theft in Kanya High School, Jandwala Hanwanta. Therefore, there is no ground to concurrent running of sentences in both the cases.

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

Considering the entirety of the facts and circumstances of the case, the sentence of rigorous imprisonment for 1 year each awarded to the petitioners is reduced to rigorous imprisonment for 9 months each, whereas the sentence of fine is maintained.

With the above noted modification, the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

November 16, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No