

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

**CRR No.3394 of 2017 (O&M)
Date of decision : November 17, 2017**

Manjinder Singh @ Maana and another Petitioners

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gagandeep Singh Sirphikhi, 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.

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

Learned counsel for the petitioners has produced the following rulings of Hon'ble Apex Court as well as this Court:

1. Mani Singh v State of Bihar, 2002(3) R.C.R.(Criminal) 139.
2. Mann Dev v State of Haryana, 1987(1) R.C.R.(Criminal) 597
3. Sudhir v State of Haryana, 2001(2) R.C.R. (Criminal) 336.
4. Surjit Singh v The State of Punjab, 2003(2) R.C.R.(Criminal) 429.
5. Chhotu Ram v State of Haryana, 2013(4) R.C.R.(Criminal) 630.
6. Sukhdev Singh v State of Punjab, 2005(4) R.C.R.(Criminal) 694.
7. Shiv Kailash v The Stae of Punjab, 2016(5) R.C.R. (Criminal) 438.

Custody certificates of both the petitioners have been filed in

the Court today and the same are taken on record.

Learned counsel for the petitioner prays for reduction in the sentence.

A perusal of file shows that one loaded countrymade pistol of .32 bore alongwith five live cartridges of .32 bore were recovered from petitioner No.1 Manjinder Singh @ Maana, and five live cartridges of .32 bore were recovered from petitioner No.2 Balwinder Singh.

The recovery of loaded courtymade pistol along with live cartridges is a serious matter. Therefore, there is no ground to reduce the sentence awarded to petitioner No.1 Manjinder Singh @ Manna for the commission of offence punishable under Section 25 of the Arms Act, 1954. As such, the present petition qua petitioner No.1 Manjinder Singh @ Manna is dismissed.

From petitioner No.2 Baljinder Singh, five live cartridges of .32 bore were recovered.

Considering the fact that petitioner No.2 Baljinder Singh is the first offender, the sentence of rigorous imprisonment for 1 year awarded to him for the commission of offence punishable under Section 25 of the Arms Act, 1954, is reduced to rigorous imprisonment for 6 months. However, the sentence of fine is maintained.

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

(KULDIP SINGH)
JUDGE

November 17, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No