

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

CRR 3624-2017(O&M)

Date of decision: 12.12.2017

M/s Secodiya Security Services and another

.....Petitioners

versus

State of U.T. Chandigarh and another

.....Respondents

CRR 3626-2017(O&M)

M/s Secodiya Security Services and another

.....Petitioners

versus

State of U.T. Chandigarh and another

.....Respondents

CRR 3628-2017(O&M)

M/s Secodiya Security Services and another

.....Petitioners

versus

State of U.T. Chandigarh and another

.....Respondents

CRR 3630-2017(O&M)

M/s Secodiya Security Services and another

.....Petitioners

versus

State of U.T. Chandigarh and another

.....Respondents

CRR 3631-2017(O&M)

M/s Secodiya Security Services and another

.....Petitioners

versus

State of U.T. Chandigarh and another

.....Respondents

CRR 3632-2017(O&M)

M/s Secodiya Security Services and another

.....Petitioners

versus

State of U.T. Chandigarh and another

.....Respondents

CRR 3624-2017(O&M)	2
M/s Secodiya Security Services and another	CRR 3635-2017(O&M)
versus	Petitioners
State of U.T. Chandigarh and another	Respondents
M/s Secodiya Security Services and another	CRR 3636-2017(O&M)
versus	Petitioners
State of U.T. Chandigarh and another	Respondents
M/s Secodiya Security Services and another	CRR 3641-2017(O&M)
versus	Petitioners
State of U.T. Chandigarh and another	Respondents
M/s Secodiya Security Services and another	CRR 3642-2017(O&M)
versus	Petitioners
State of U.T. Chandigarh and another	Respondents
M/s Secodiya Security Services and another	CRR 3644-2017(O&M)
versus	Petitioners
State of U.T. Chandigarh and another	Respondents
M/s Secodiya Security Services and another	CRR 3646-2017(O&M)
versus	Petitioners
State of U.T. Chandigarh and another	Respondents
M/s Secodiya Security Services and another	CRR 3647-2017(O&M)
versus	Petitioners
State of U.T. Chandigarh and another	Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.A.S.Sandhu, Advocate for the petitioners
in all the petitions
Mr.Sukant Gupta, Addl.P.P. UT Chanjdigarh
in all the petitions
Mr.Sanjay Tangri, Advocate for the respondent no.2
in all the petitions

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Heard.

This order will dispose of CRR Nos.3624, 3626, 3628, 3630, 3631, 3632, 3635, 3636, 3641, 3642, 3644, 3646 and 3647 of 2017. For facility of reference, facts are being mentioned from CRR No.3624-2017.

Notice of motion in all the revisions were issued only on the point of quantum of sentence.

On the last date of hearing, it was pleaded by learned counsel for the petitioners that he has paid the entire amount.

Today, learned counsel for respondent no.2 has filed a certificate showing that for the period 2007-2010, a sum of Rs.3,25,733/- including cost and charges is still recoverable from the petitioner. He has also pointed out that it is observed in the judgment of the trial Court and appellate Court that a sum of Rs.4,23,327/- is still outstanding against the present petitioner.

Learned counsel for respondent no.2 has opposed the prayer for reduction in sentence on the ground that under Section 14(1)(a) of the Employees Provident Funds and Miscellaneous Provisions Act, 1952,

minimum sentence is provided for one year, which may extend to three years. However, the Court, for special and adequate reasons, to be recorded in the judgment, impose the sentence of lesser term.

Learned counsel for the petitioners has stated that during trial and before the appellate Court he has paid Rs.2,58,000/- out of his outstanding liability.

Considering that the petitioner has paid some part of his liability and there is fine of Rs.10,000/- in each of the complaints, therefore, on account of the making part payment during the pendency of the trial and appeal, substantive sentence of Rigorous Imprisonment for one year is reduced to Rigorous Imprisonment for six months in each of the complaint, for the above noted special reasons. Sentence of fine is maintained. Sentences shall run concurrently as directed by the lower appellate Court.

With the above noted modification in the sentence, all the present revision petitions are dismissed.

A copy of the order be placed on the connected case files.

12.12.2017

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No