

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRR No.392 of 2017 (O&M)

Date of decision:28.4.2017

Mohan Masih and another

... Petitioners

versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.K.B.Raheja, Advocate, with
Mr.P.S.Jammu, Advocate,
for the petitioners
Mr.S.K.Yadav, DAG, Haryana

...

AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the petitioners has reiterated what he had stated yesterday, to the effect that the petitioners do not challenge their conviction by the learned trial Court, upheld by the learned first appellate Court, but only restrict their prayer to reduction of the quantum of sentence imposed upon them, even though only 7 days still remain to complete the entire sentence of five months.

Yesterday, this Court had not accepted that contention in view of the fact that almost the entire sentence of 5 months simple imprisonment for the commission of the offence punishable under Section 325 read with Section 34 IPC has been undergone by the petitioners, (with further lesser sentences for the commission of offences punishable under Sections 323 and 324, read with Section 34 IPC also consequently having been entirely undergone), and had asked learned counsel to argue on the merits of the case.

However, since learned counsel has reiterated his contention

even today, this revision petition is dismissed as regards the conviction of the petitioners for the commission of offences punishable under Sections 323, 324 and 325 IPC, read with Section 34 thereof; but while maintaining the sentences imposed by the trial Court for the commission of offences punishable under Sections 323 and 324 IPC (read with Section 34 thereof), the sentence imposed upon the petitioners for the commission of an offence punishable under Section 325, read with Section 34 IPC, is reduced to the period of imprisonment already undergone by them.

As pointed out by Mr.Raheja, the fine is already stated to have been paid even before the learned trial Court, as can be seen from the order of sentence pronounced on 29.11.2012.

Consequently, the petitioners are ordered to be released from custody forthwith.

28.4.2017
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No