

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR 4220-2017(O&M)
Date of decision: 22.11.2017

Jaswinder Singh and others
.....PetitionerS
versus
State of Punjab
.....Respondent

CORAM: Hon’ble Mr.Justice Kuldip Singh

Present: Mr.H.P.S.Ghuman, Advocate for the petitioner
Ms.Monika Jalota, DAG Punjab

- 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)

Petitioners were convicted by learned Judicial Magistrate First Class, Nabha vide judgment of conviction and order of sentence dated 18.11.2015 and sentenced as under:-

<i>Sr.No.</i>	<i>Under Sections</i>	<i>Sentence</i>	<i>Fine</i>	<i>In default of payment of fine</i>
1	147 IPC	SI for one year each	Rs.500/- each	SI for 7 days each
2	341 IPC	SI for one month each		
3	353 IPC	SI for one year each		
4	332 IPC	SI for one year each		

All the sentences were directed to run concurrently. Appeal filed by the petitioners was dismissed by learned Additional Sessions Judge, Patiala vide judgment dated 30.10.2017.

Learned counsel for the petitioners presses the revision only on the quantum of sentence.

Custody certificates dated 22.11.2017 in respect of all the petitioners filed in Court today and the same are taken on record. It shows that the petitioners have undergone the actual sentence of 21 days. They are

not previous convicts nor any other case is pending against them.

Learned counsel for the petitioners has prayed for showing leniency in sentence and pressed that petitioners should be sentenced to the period already undergone by them. It is further stated that the petitioners have been facing trial for the last about nine year and six months. Perusal of the lower Court judgment shows that Dr.Pawan Kumar Sharma, Director of Punjab University Seed Farm, Nabha was assaulted by the present petitioners while he was in his office. He was pushed and forcibly brought to the gate of the seed farm and made to sit on the chair and was thrashed by giving fist and kick blows. The alleged act shows that the petitioners have no respect for the law. They took the law in their own hands and when the Director of the University was not willing to accept their demands they dragged him to the gate of the seed farm and made to sit on the chair and thrashed him.

Considering the entirety of the facts and circumstances of the case, there is no ground to reduce the sentence to the period already undergone. However, considering that it is the first act of the petitioners, they must have learnt some lesson, while maintaining the conviction of the petitioners under Sections 147, 353, 332 IPC sentence of Simple Imprisonment for one year is reduced to Simple Imprisonment for six months each.

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

22.11.2017
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No