

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

CRR 4606-2017 (O&M)

Date of decision: 20.12.2017

Jaswinder Singh and another

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.A.S.Brar, Advocate for the petitioners
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)

Both the petitioners were convicted by Learned Judicial Magistrate 1st Class, Moga vide judgment of conviction and order of sentence dated 5.1.2015 as under:-

<i>Name of accused</i>	<i>Offence</i>	<i>Sentence</i>
<i>Jaswinder Singh</i>	<i>326 IPC</i>	<i>R.I. For 3 years and to pay a fine to the tune of Rs.1000/- and in default of payment of fine to undergo further SI for 15 days</i>
<i>-do-</i>	<i>324 read with Section 34 IPC</i>	<i>R.I. For 3 years</i>
<i>Sajjan Singh</i>	<i>326 read with Section 34 IPC</i>	<i>R.I. For 3 years and to pay a fine to the tune of Rs.1000/- and in default of payment of fine to undergo further SI for 15 days</i>
<i>-do-</i>	<i>324 IPC</i>	<i>R.I. For 3 years</i>

All the sentences were directed to run concurrently.

However, during pendency of appeal, before the learned

Additional Sessions Judge, Moga a compromise took place between the parties. Taking note of the compromise, learned Additional Sessions Judge, Moga vide judgment dated 30.10.2017, reduce the sentence of 3 years to Rigorous Imprisonment for one year under both the counts.

Present petition was pressed only on the point of quantum of sentence. Custody certificate dated 19.12.2017 regarding petitioner no.1 filed in Court today and the same is taken on record. It shows that he has undergone the actual sentence of 2 months and 8 days. Perusal of the lower Court judgment shows that there was one injury on the head which was found to be simple in nature. The other grievous injury was on the nose being fracture of nasal bone.

Considering that both the parties have compromised the matter, prayer for further concession is allowed and substantive sentence of Rigorous Imprisonment for one year is reduced to Rigorous Imprisonment for six months under both the counts. Remaining part of the sentence is maintained.

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

20.12.2017
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No