

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Criminal Revision No. 776 of 2017O&M)

Date of Decision: July 28 , 2017

Sameer Khanna

.....Petitioner

Versus

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice Arvind Singh Sangwan

Present: Mr.Anil Kumar Bhardwaj,Advocate
for the petitioner.
Mr.K.S.Sidhu, Deputy Advocate
General, Punjab

Arvind Singh Sangwan, J.

Petitionert-Sameer Khanna had faced trial in FIR No.152 dated 14.12.2013 qua commission of an offence under Section 61(1) (a) of the Punjab Excise Act,1914 ('the Act' for short) registered at Police Station Balongi. The trial Court vide judgment/order dated 15.2.2016 convicted and sentenced the petitioner for commission of offence punishable under Section 61(1)(a) of the Act . The appeal filed against the said judgment/order passed by the trial Court was

dismissed by the appellate Court vide order dated 12.1.2017.

Hence, the present revision petition by the accused-petitioner-Sameer Khanna.

Learned counsel for the petitioner, during the course of arguments, has not challenged the conviction of the petitioner under Section 61(1)(a) of the Act but has submitted that the sentence qua imprisonment be reduced to already undergone by the petitioner. Petitioner is the sole bread earner of the family and has not misused the concession of bail.

Keeping in view the facts and circumstances of the present case, it would be just and expedient to reduce the sentence qua imprisonment of the petitioner to already undergone by him.

Accordingly, the conviction of the petitioner under Section 61(1)(a) of the Act is maintained. However, the sentence qua imprisonment of the petitioner is reduced to already undergone by him. Petitioner, who is in custody, be set at liberty forthwith, if not required in any other case, subject to deposit of fine, if not already deposited.

Petition stands disposed of accordingly.

(Arvind Singh Sangwan)
Judge

July 28, 2017
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No