

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

CRA-S No.5361-SB of 2015 (O&M)

Date of decision: 26.04.2018

Vivek Khullar

....Appellant

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Yogesh Goel, Advocate
for the appellant.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Counsel for the appellant has submitted that the appellant has undergone the entire sentence and, therefore, do not press the arguments with regard to the judgment of conviction and restricts his argument only to the extent that the imposition of fine of Rs.10,000/- on the applicant/appellant may be set-aside as he is a poor labourer and is not maintaining good health.

Counsel for the appellant has further submitted that the recovery of fine was stayed by this Court vide order dated 21.12.2015 while admitting the main appeal.

Counsel for the State has not disputed the aforesaid fact. Counsel for the State on the basis of the custody certificate dated 13.10.2017 has submitted that the appellant, on completion of the sentence of 01 year, 05 months and 29 days, was released on 17.06.2017 as 18.06.2017 was a jail holiday being Sunday.

After hearing counsel for the parties and considering the fact that the appellant has undergone the entire sentence of 01 year and

06 months and has been released by the jail authorities and also in view of the fact that the appellant is poor labourer and the only bread earner of the family, this appeal is partly allowed and the imposition of fine of Rs.10,000/- vide order dated 10.12.2015 is set-aside.

Disposed of accordingly.

(ARVIND SINGH SANGWAN)
JUDGE

26.04.2018
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No