

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

CRM-31552-2018 in/and  
CRR-3278-2009 (O&M)  
Date of Decision:-4.12.2018

Sarwan Singh ... Petitioner

Versus

State of Punjab ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. G.S. Bhatia, Advocate for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Shubhjoy Singh Chadha, Advocate for the complainant.

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**GURVINDER SINGH GILL, J.(Oral)**

**CRM-31552-2018**

This application has been filed on behalf of the petitioner for allowing/disposing of the revision petition on the basis of compromise deed (Annexure A-1).

As per the agreement/compromise annexed with the application as Annexure A-1, Sadhu Singh complainant, who had lodged FIR No.123 dated 5.7.2005 registered at Police Station Sultanpur Lodhi under Sections 406 and 420 of Indian Penal Code, 1860 and Section 24 of Immigration Act, has compromised the matter with the petitioner/accused Sarwan Singh, who stands convicted for offences punishable under Section 420 of Indian Penal Code and Sections 24(b) and 24(g) of Immigration Act.

I have heard the learned counsel for the parties.

In view of the aforesaid position, wherein the parties are stated to have compromised the matter, the application is allowed and the main case i.e. CRR-3278-2009, which already stands admitted, is taken on board.

**CRR-3278-2009 (O&M)**

The case of the prosecution, in nutshell, is that the petitioner Sarwan Singh alongwith Gurmail Singh had duped the complainant Sadhu Singh of an amount of ₹5,08,500/- on the pretext of sending his son to 'France'. While Gurmail Singh was declared a proclaimed offender, the petitioner Sarwan Singh was tried by the Court of learned Sub-Divisional Judicial Magistrate, Sultanpur Lodhi and was held guilty of having committed offences punishable under Section 420 of Indian Penal Code and Sections 24(b) and 24(g) of Immigration Act.

Upon an appeal having been filed by the petitioner/accused Sarwan Singh, the conviction was upheld.

Having heard the learned counsel for the petitioner and having perused the impugned judgment, I do not find any infirmity in the same and the same are hereby upheld. However, keeping in view the fact that the parties have now amicably resolved the matter and that the matter pertains to the year 2005 and also that the petitioner as on date has undergone sentence of imprisonment of 7 months and 19 days, in my opinion, there is room for reduction of the sentence. The petition, as such, is partly accepted to the limited extent of quantum, which is reduced to the one already undergone, while the findings regarding conviction shall remain unaltered. The sentence of fine shall also remain unaltered.

The petition stands partly accepted to the limited extent as indicated above pertaining to reduction of sentence of imprisonment.

4.12.2018  
pankaj

(Gurvinder Singh Gill)  
Judge

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|---------------------------|----------|
| Whether reasoned/speaking | Yes / No |
| Whether reportable        | Yes / No |