

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

Criminal Revision No. 730 of 2010 (O&M)

Date of decision: 19.7.2018

Surjit Singh

.. Petitioner

VS

State of Punjab

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Ms. Bandana Dogra, Advocate for
Mr. O. P. Kamboj, Advocate, for the petitioner.
Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Rajesh Bindal, J.

Petitioner having been convicted for commission of offence under Section 61(1)(c) of the Punjab Excise Act, 1914, by the trial court and directed to undergo rigorous imprisonment for a period of one year and to pay a fine of ₹ 5,000/-, filed appeal before the learned Additional Sessions Judge, where the same was upheld. He filed the present petition against both the orders.

As per the custody certificate available on record, the petitioner has undergone actual imprisonment of six months and eight days. The recovery was shown to be drummy boiler containing 40 kg lahan and two bottles of illicit liquor of 750 mls each, after taking sample of 180 mls.

Be that as it may, considering the aforesaid fact where out of one year sentence awarded to the petitioner, he has already undergone actual imprisonment of six months and eight days, case being fifteen years old, the

present petition is accepted to the extent that the conviction of the petitioner is upheld, however, the sentence awarded to the petitioner is reduced to the period already undergone.

The petition stands disposed of accordingly.

19.7.2018	(Rajesh Bindal)
vs	Judge

Whether speaking/ reasoned	Yes/No
Whether Reportable	Yes/No