

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1378-2015
Date of decision: 31.08.2018

Gurmukh Pal Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Iqbal Singh Saggu, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.

This is a revision petition filed against the judgment of conviction passed by the learned Chief Judicial Magistrate, Sangrur vide which the petitioner was convicted as well as judgment of the learned Appellate Court vide which the appeal was dismissed. The conviction of the petitioner read as under:-

Name of the accused	Under section	To undergo rigorous imprisonment for	Fine	In default of payment of fine, to undergo rigorous imprisonment for
Gurmukhpal Singh	120-B IPC	06 months	Rs.500/-	07 days
	420 IPC	03 years	Rs.1,000/-	15 days
	467 IPC	03 years	Rs.1,000/-	15 days
	468 IPC	03 years	Rs.1,000/-	15 days
	471 IPC	03 years	Rs.1,000/-	15 days

Briefly stated, it is a case of the prosecution that complainant-Keshav Bansal opened the accounts with Post Office Sangrur for the amounts of Rs.50,000/- and Rs.35,000/- respectively for the last one year through Akhil Gupta. The pass books of the said accounts were also issued by Sub Post Master, New Grain Market, Sangrur which was duly signed by him. But on verification it was found that Rs.75,000/- was shown less in his bank account. After verification, on the statement of the complainant, FIR was registered for the offences under Sections 420, 468, 467, 471, 109 and 120-B IPC.

After completion of the trial, the petitioner was convicted as aforesaid. Thereafter, he filed an appeal which was dismissed. However, the sentence of petitioner-Gurmukhpal Singh was reduced to the period already undergone i.e. 01 year, 01 month and 12 days.

On the other hand, learned State counsel submitted that the petitioner has committed heinous crime and is not entitled for the bail.

I have heard learned counsel for the parties and have gone through the record.

Learned counsel for the petitioner submitted that the petitioner had paid the amount of Rs.1,47,218/- to the complainant by way of bank draft and in this circumstance, he be given the benefit of probation. Reliance has been placed upon the judgment of the coordinate bench of this court in *Surinder Singh Vs. State of Haryana, 2015(25) RCR (Criminal) 811*.

This court has given anxious thought to the rival submissions made by the learned counsel for the parties.

The conviction of the petitioner has not been assailed before me and only the sentence has been assailed.

A bare perusal of the record transpires that the petitioner committed cheating and also the record was forged and fabricated. He has been convicted for the offences under Sections 467, 420, 468, 471 and 120-B IPC. He is a public servant. He must feel the responsibility of the nature of his job.

Keeping in view the facts and circumstances of the case, the petitioner is not entitled for the benefit of probation.

This petition is devoid of any merits and the same is hereby dismissed.

(RAJ SHEKHAR ATTRI)
JUDGE

31.08.2018
m. sharma

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