

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

**CRR No. 1645 of 2017 (O&M)
DATE OF DECISION :- April 03, 2018**

Paramjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Gursimran Singh Jossan, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Petitioner Paramjit Singh, an accused in F.I.R. No. 149 dated 7.9.2015 under Section 419 IPC registered with Police Station Guruhar Sahai faced trial by Sub Divisional Judicial Magistrate, Guruhar Sahai on the allegations that on 7.9.2015, he impersonating as Jagsir Singh son of Wazir Singh while taking up 10th class examination of Social Studies subject in Guru Gobind Singh Public Senior Secondary School, Guruhar Sahai-II was caught red handed.

Formal F.I.R. was registered. The petitioner was arrested in this case. After completion of investigation, he was challaned and tried for offence under Section 419 IPC which ended in his conviction for the said offence and he was sentenced to undergo rigorous imprisonment for two years vide judgment/conviction order dated 12.8.2016. He had preferred an appeal to the Court of Sessions which was assigned to Additional Sessions Judge, Ferozepur, who vide judgment dated 16.2.2017 dismissed that appeal, as such he has approached this Court by way of filing Criminal Revision Petition, notice of which was given to the State.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Learned counsel for the petitioner states that he does not challenge the judgment passed by the Courts below on the point of conviction but wants to put forward submissions with regard to sentence part. Learned counsel for the petitioner states that petitioner-convict is a poor person; he is a 1st offender and only earning member in the family; he has already undergone 1 year and 2 months, as such a lenient view be taken.

As per custody certificate filed by the State counsel, the petitioner-convict has undergone 1 year and 2 months of total substantive sentence of 2 years. He is not shown to be involved in any other criminal case.

Considering the circumstances explained by counsel for the petitioner and in the light of other attending circumstances, I am of the view that ends or justice shall be adequately met, if while maintaining the conviction of the petitioner-accused his sentence is reduced to one already undergone by him in this case. It is ordered accordingly. Petitioner Paramjit Singh is stated to be in jail in this case. Superintendent Central Jail, Ferozepur is directed to release the petitioner immediately, if his custody is not required in connection with any other case.

The Criminal Revision Petition stands disposed of.

(H.S. MADAN)
JUDGE

April 03, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No