

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
110+236

CRM-19653-2017 &
CRM-9247-2018
CRR-2220-2017

Date of decision:18.05.2018

Anwar

...PETITIONER

Vs.

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. R.S.Mamli, Advocate,
for the petitioner.

Mr. Apoorv Garg, Deputy Advocate General, Haryana,
for the State.

AUGUSTINE GEORGE MASI, J. (ORAL)

Challenge in this petition is to the judgment of conviction dated 30.01.2013 and the order dated 01.02.2013 passed by the Sub-Divisional Judicial Magistrate, Bilaspur, Yamuna Nagar, which has been affirmed in appeal by the learned Additional Sessions Judge, Yamuna Nagar vide judgment dated 26.05.2017.

When the case came up for hearing, notice was issued to the limited extent of quantum of sentence. Counsel for the petitioner submits that the petitioner is not involved in any other case and he further states that as of now, he has completed more than 11 months in custody and, therefore, the sentence be reduced to the one already undergone.

Counsel for the State has opposed the said prayer by asserting that the recovery has been effected from the petitioner of the tractor and the motorcycle. He further states that the recovery of the original number plates was effected on the disclosure statement of the petitioner and, therefore, he

be not granted the benefit of reduction in sentence.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the applicant-petitioner has already completed 11 months and 16 days of actual sentence and is not involved in any other case as is apparent from the custody certificate, the prayer made by the counsel for the petitioner is accepted. The sentence of the petitioner is reduced to one already undergone. Petitioner be released forthwith if not required in any other case.

Petition stands disposed of accordingly.

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In view of the disposal of the main case, these applications stand disposed of.

May 18, 2018
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No