

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

Crl. Rev. No.3137 of 2017 (O&M)

Date of Decision:- 12.07.2018

Babal Ali

....Petitioner

vs.

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Shiv Narayan Yadav, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner has been convicted under Sections 420 and 120B IPC vide judgment dated 16.2.2016 passed by the Sub Divisional Judicial Magistrate, Malerkotla and has been sentenced to undergo rigorous imprisonment as follows:-

Name of Convict	Under Section	Sentence
Babal Ali	120B IPC	To undergo R.I. for one year
	420 IPC	To undergo R.I. For two years and to pay fine of Rs.5000/- and in default of payment of fine to further undergo R.I. For one month.

In the appeal filed by the petitioner, the conviction was upheld but the sentence was modified to rigorous imprisonment for one year and six months.

Notice of motion was issued in this case only qua the quantum of sentence.

Custody certificate dated 12.7.2018 prepared by Sh. Balvir Singh, PPS

Deputy Superintendent, Sub Jail Malerkotla has been filed in Court today and the

same is taken on record. According to the said certificate, the applicant-petitioner has undergone 01 year, 01 month and 12 days inclusive of remissions. There is another case under Sections 406 and 420 IPC pending against him and he has been convicted in a case under Section 138 of the Negotiable Instruments Act, 1881. Moreover, two other cases under Sections 420, 406, 120, 465, 467, 468 471 IPC were registered against the petitioner but he was acquitted therein.

The Appellate Court has already taken a lenient view and has reduced the substantive sentence of the petitioner to rigorous imprisonment for one and a half years. Keeping in view the past record of the petitioner, I do not see any reason to modify the sentence any further. Accordingly, the criminal revision petition is dismissed.

July 12, 2018
poonam

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No