

CRR No. 3650 of 2017

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

**CRR No. 3650 of 2017
Date of Decision: 14.03.2018**

Meeraj Malik

.....Petitioner

Vs.

State of UT Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. M.M. Pandey, Advocate,
for the petitioner.

Mr. Y.S. Rathore, P.P. U.T, Chandigarh.

AMOL RATTAN SINGH, J. (ORAL)

Custody certificate of the petitioner has been filed in Court today by learned State counsel, which is taken on record.

After arguing for some time, when this Court had, in fact started dictating the judgment on merits, not agreeing with counsel for the petitioner in view of the serious charges proved against the petitioner before the trial Court, upheld by the appellate Court, learned counsel appearing submits that he would restrict his arguments to the quantum of sentence alone.

The petitioner has been sentenced to 03 years rigorous imprisonment for the commission of an offence punishable under Section 467 IPC, for 02 years rigorous imprisonment in respect of each of the offences punishable under Sections 420 IPC as also 468 IPC, and to 01 years rigorous imprisonment in respect of each of the offences punishable under Sections 419 and 471 IPC, with fines of Rs. 5,000/-, Rs. 2,000/- and Rs. 1,000/- also imposed, in respect of 3 of the

aforesaid offences, with a 'default imprisonment' also given, for various terms.

The aforesaid sentences, ordered to run concurrently, were also upheld by the appellate Court.

As per the custody certificate filed in Court today by the learned Public Prosecution, Chandigarh, another FIR is seen to be registered against the petitioner, for the alleged commission of an offence punishable under Section 379 IPC, on 20.09.2008, which has still not reached its logical conclusion, either which way.

Considering the aforesaid, with learned counsel for the petitioner submitting that the petitioner has an old father to look after, without going further into that issue, the offences in question being the first ones in respect of which he has actually been convicted, I consider it appropriate to reduce the quantum of sentence of imprisonment imposed in respect of the offence punishable under Section 467 IPC also to a period of 02 years, with the said sentence to run concurrently with the sentences imposed in respect of the commission of the other offences, as was already ordered by the learned courts below.

However, the fines imposed by the trial Court in respect of each offence, and upheld by the appellate court, are also maintained by this Court.

The petition is allowed to the aforesaid extent.

March 14, 2018
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.