

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

CRR-3818-2017 (O&M)

Date of Decision:- 11.7.2018

Rakesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Anoop Kumar Yadav, Advocate, for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

Today at the very outset the petitioner has submitted that he restricts his submission to the quantum of sentence only.

I have heard learned counsel for the petitioner and have also gone through the impugned judgment. From a perusal of the impugned judgment, I do not find any infirmity in the findings as regards the conviction recorded by the learned trial Court and as affirmed by the learned lower Appellate Court and consequently the conviction of the petitioner for offences under Sections 332, 353 and 506 of IPC is hereby affirmed.

As regards the sentence, the petitioner had been sentenced to undergo rigorous imprisonment for 2 years and had also been imposed a fine of ₹500/- for offence under Section 332 IPC; rigorous imprisonment for 1 year for offence under Section 353 IPC and rigorous imprisonment for 1 year for

offence under Section 506 IPC. All the sentences were however ordered to run concurrently. In other words, the maximum sentence as imposed was 2 years.

As per the custody certificate filed today in the Court, the petitioner has undergone an actual sentence of 1 year, 1 month and 8 days as on 10.7.2018. He has also earned remission of 1 month and 28 days. Thus, the total sentence undergone by the petitioner is 1 year 3 months and 6 days out of the imposed sentence of 2 years. He is not stated to be a previous convict.

Having regard to the facts and circumstances of the case, in my opinion, it is a fit case warranting reduction of sentence. Accordingly, the substantive sentence of imprisonment is reduced from 2 years to the one already undergone by the petitioner. The fine shall however remain unaltered.

The petition stands dismissed with aforesaid modification in the sentence.

July 11, 2018
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No