

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

103

CRR-1139-2018

Date of Decision: September 05, 2018

Jaswant Singh Lambardar and anr.

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. P.S. Ahluwalia, Advocate for the petitioners.

Sudhir Mittal, J. (Oral)

The petitioners were tried along with their co-accused for the offence under Sections 420,465,468,471,120-B/199 IPC. Vide judgment dated 16.10.2014, learned Chief Judicial Magistrate, Patiala convicted them under Sections 419,420,465,468,471,120-B IPC. A maximum sentence of RI for two years was imposed upon them vide order of sentence of even date. Their appeal has been rejected vide judgment dated 21.2.2018 passed by learned Addl. Sessions Judge, Patiala, hence the present revision petition.

Notice of motion was issued only regarding quantum of sentence.

Today, an affidavit of Custody dated 05.09.2018 of Sh. Gurcharan Singh Dhaliwal, PPS, Deputy Superintendent, Central Jail, Patiala filed in Court and the same is taken on record. According to the affidavit, the petitioners have undergone actual custody of about six months and five days inclusive of remission and there is no other case pending or decided against them.

The allegations of the prosecution are that that Surjit Kaur impersonated one Raj Mohinder Kaur and executed a general power of attorney in favour of Hardev Singh who utilized the same for selling plot No.37 to one Surinder Singh son of Pritam Singh. Subsequently, she again impersonated said Raj Mohinder Kaur and got the general power of attorney cancelled. The petitioners are stated to be the attesting witnesses of the said General Power of Attorney.

Learned counsel for the petitioners prays for leniency.

Accordingly, judgments of the courts below regarding conviction of the petitioners is maintained. However, so far as order of their sentence is concerned, instead of sentencing, the petitioners are directed to be released on probation for a period of one year each on their furnishing probation bond with one surety each, undertaking therein to appear and receive sentence when called upon during above period and in the meantime to keep peace and be of good behaviour, to the satisfaction of the Chief Judicial Magistrate/Convicting Magistrate, Patiala. On receipt of the requisite bonds, release warrants of the petitioners from the jail, shall be issued forthwith.

Copy of this order be sent to the court of the Chief Judicial Magistrate, Patiala, for compliance, forthwith.

Petition stands disposed of.

September 05, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No