

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

**CRR No.1178 of 2018 (O&M)
Date of Decision: 02.05.2018**

Satish @ Kalu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Ms. Sunita Nambiar, Advocate for
Mr. Abhimanyu Singh, Advocate for the petitioner.

Mr. Karan Sharma, Assistant Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

The present revision petition has been filed by the petitioner against the impugned judgment dated 28.02.2018, rendered by the learned Sessions Judge, Bhiwani, vide which appeal filed against the judgment of conviction and order of sentence dated 20.09.2017, passed by the learned Judicial Magistrate 1st Class, Bhiwani, whereby he was convicted and sentenced under Section 411 of the Indian Penal Code for a period of one year, has been dismissed, but sentence reduced to ten months.

This Court, vide order dated 02.04.2018, suspended the sentence of the petitioner during the pendency of the present revision petition.

At the time of hearing, learned Counsel for the petitioner has confined her prayer only for the quantum of sentence and does not press the

conviction as the petitioner has already undergone the actual sentence of 07 months and 12 days out of total sentence of 10 months. She further submits that the petitioner belongs to a poor family and he is the only bread-earner in the family, therefore, a lenient view may be taken against the petitioner.

The petitioner is facing the proceedings in the present case since June, 2014 and out of total sentence of ten months, he has already undergone the actual sentence of 07 months and 12 days.

In view of the facts and circumstances, discussed hereinabove, this Court is fully convinced that ends of justice would be met if conviction of petitioner-Satish @ Kalu is maintained and sentence is reduced to as already undergone by him.

Resultantly, the conviction of the petitioner under Section 411 of the Indian Penal Code is maintained and his sentence of imprisonment is reduced to that of already undergone by him.

Disposed off accordingly.

May 02, 2018

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>