

(1)

CRR-1192-2018 (O&M)

CRR-1209-2018 (O&M)

CRR-1420-2018 (O&M)

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

1. **CRR-1192-2018 (O&M)**

Dalip Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

2. **CRR-1209-2018 (O&M)**

Amandeep Kaur

....Petitioner

Versus

State of Punjab

....Respondent

3. **CRR-1420-2018 (O&M)**

Karam Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

Date of decision:06.12.2018

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. P.S. Sekhon, Advocate
for the petitioner in **CRR-1192-2018**.

Mr. Harish Sharma, Advocate
for the petitioner in **CRR-1209-2018**.

Mr. Gopal Singh Nahel, Advocate
for the petitioner in **CRR-1420-2018**.

Mr. A.S. Sandhu, Addl. A.G., Punjab.

Mr. Ashok Bhardwaj, Advocate
for the complainant.

GURVINDER SINGH GILL, J. (ORAL)

This order shall dispose of above-mentioned three petitions filed on behalf of petitioners-Dalip Singh, Amandeep Kaur and Karam Singh, who have filed the above-mentioned petitions assailing judgment dated 28.02.2018 passed by learned Additional Sessions Judge, Sangrur wherein their conviction for offences under Sections 420, 419, 465, 467, 468, 471, 120-B of Indian Penal Code, 1860 as recorded by learned learned Judicial Magistrate Ist Class, Sangrur has been upheld.

Mr. Harish Sharma, Advocate has put in appearance on behalf of the petitioner in **CRR-1209-2018** and has filed power of attorney, which is taken on record.

Today, when the matters were taken up for arguments, all the learned counsel representing the petitioners submitted that they restrict their prayer for reduction of sentence only.

I have heard learned counsel for the petitioners and also learned State counsel assisted by learned counsel for the complainant.

The allegations in nut-shell are that Amandeep Kaur had introduced one Dharam Singh to the complainant who represented that he wishes to sell his land situated in village Gurdaspura, Tehsil and District Sangrur. A deal was struck for sale of land measuring 14 'Bighas' 13 'Biswas' and 16 'Biswasis' at the rate of ₹9,00,000/- per acre and pursuant to the same an amount of ₹15 lakhs was paid by the complainant. Dalip Singh was a witness to the agreement. It is further the case of the

(3)

CRR-1192-2018 (O&M)
CRR-1209-2018 (O&M)
CRR-1420-2018 (O&M)

prosecution that in fact Karam Singh accused had impersonated as Dharam Singh and he was in fact not owning any land.

Learned trial Court upon appraisal of the evidence, convicted the petitioners/accused. Upon appeals having been filed by the petitioners/accused, the conviction was upheld.

Having heard the learned counsel for the parties and having perused the impugned judgment, I do not find any infirmity in the same and consequently the finding as regards the conviction of the petitioners is upheld. However, I find that there is some room for reduction in sentence. The petitioner Karam Singh is stated to be aged about 70 years and as per custody certificate, he has undergone about 1 year and 10 months out of total sentence of 2 years as imposed upon him by the trial Court and upheld by the trial Court.

The petitioner Dalip Singh is stated to be aged about 39 years and as per custody certificate, he has undergone about 1 year and 4 months out of total sentence of 2 years as imposed upon him by the trial Court and upheld by the trial Court.

The petitioner Amandeep Kaur is stated to be aged about 41 years and as per custody certificate, she has undergone about 1 year and 3 months out of total sentence of 2 years as imposed upon her by the trial Court and upheld by the trial Court.

It is Karam Singh, who is the main accused who had impersonated as Dharam Singh and had entered into agreement with the complainant. Keeping in view his age and the period of imprisonment already undergone by him and also the fact that even the other petitioners

(4)

CRR-1192-2018 (O&M)
CRR-1209-2018 (O&M)
CRR-1420-2018 (O&M)

have undergone substantial sentence imprisonment, the petitions are partly accepted to the extent of quantum of sentence and the sentence of imprisonment as imposed upon them is reduced to the one already undergone. The fine as imposed upon the petitioners by the trial Court shall however remained unaltered. Petitioners be released from custody, if not required in any other case.

The petitions stand partly accepted to the limited extent as indicated above pertaining to reduction of sentence of imprisonment.

06.12.2018

Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**