

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

**Criminal Revision No.1252 of 2018 (O&M)
Date of Decision: July 16, 2018**

Gurjant Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Parampreet Singh Paul, Advocate
for the petitioner (s).

Mr. Sandeep Kumar, D.A.G., Punjab.

SURINDER GUPTA, J.

This is revision against the judgment passed by learned Judicial Magistrate 1st Class, Rupnagar, whereby the petitioner was convicted for the offence punishable under Section 382 read with Section 34 of Indian Penal Code and sentenced to undergo rigorous imprisonment for one year and four months. In appeal, the judgment of learned Magistrate was affirmed by learned Additional Sessions Judge, Rupnagar.

As per case of the prosecution, on 18.09.2011, complainant Ivreet Kaur was going towards her home at about 5.00 p.m. When she reached near Khalsa Girls College, Morinda, a '*Bullet*' motorcycle crossed her and pillion rider snatched the gold chain worn by her. She very swiftly pulled down the pillion rider while the other motorcyclist ran away from the spot. On her hue and cry, the shop-keepers from the nearby shops gathered

at the spot and nabbed the person, who had been pulled down by the complainant. On inquiry, he disclosed his name as Gurjant Singh (revision petitioner) and the name of his co-accused as Mandeep Singh. He also disclosed the number of the motorcycle as PB-12K-9499, however, on the back side number plate, there was no number and a sticker of AK47 was pasted on it. The police also reached the spot and took the revision petitioner in custody.

Co-accused Mandeep Singh expired during trial, as such, proceedings qua him were dropped.

Before the trial Court, complainant appeared as PW2 and supported the case of the prosecution. She had also identified the petitioner in Court. It was because of her alertness, she could catch hold the petitioner, who was pillion on the motorcycle and had snatched her gold chain. The petitioner was arrested at the spot, as such, there was no dispute regarding his identity. The Courts below have found the statement of complainant worthy of reliance. Even otherwise, the complainant had no reason to falsely implicate the petitioner.

Keeping in view the above facts, I find no reason to interfere with the well reasoned findings recorded by the Courts below.

Learned counsel for the petitioner had tried to assail the findings of the Courts below on the ground that identity of the petitioner is not established as he was not named in the FIR.

The submission of learned counsel for the petitioner has no merits as the complainant had no reason to know the name of the petitioner but was a stranger for her. However, his identity came to know when she

could hold of him and pulled him from the motorcycle. It was at this stage, the petitioner had disclosed his name to the persons, who had assembled at the spot.

Learned counsel for the petitioner also requests for leniency on the quantum of sentence on the ground that petitioner is not a previous convict.

The petitioner has committed very grievous offence. The snatcher of chain/purses of the ladies going on the road or street not only threatens the liberty and security of the victims but also create an atmosphere of terror in the society. Such type of criminals are required to be dealt with sternly. The courts below have already taken a lenient view regarding quantum of sentence by awarding rigorous imprisonment for one year four months, as such, I find no reason to take further lenient view in this matter.

This revision petition has no merits. Dismissed.

July 16, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***