

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

Crl.R.No.1573 of 2018 (O&M)

Date of Order: 02.08.2018

Surjit Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. J.S. Walia, Sr. DAG, Punjab.

SUDHIR MITTAL, J (ORAL)

The petitioner was tried along with her 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 her under Sections 419,420,465,468,471,120-B IPC. A maximum sentence of RI for two years was imposed upon her vide order of sentence of even date. Her 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 02.8.2018 of Sh. Gurcharan Singh Dhaliwal, PPS, Deputy Superintendent, Central Jail, Patiala filed in Court is taken on record. According to the affidavit, the applicant has undergone actual custody of seven months and 16 days inclusive of remission and there is no other case pending or decided against

her.

The allegation against the petitioner is that she 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.

Learned counsel for the petitioner prays for leniency.

Considering the fact that the petitioner is a lady and is a first offender, I deem it appropriate to take lenient view against her.

Accordingly, judgment of the courts below regarding conviction of the petitioner is maintained, however, so far as order of her sentence is concerned, instead of sentencing, the petitioner is directed to be released on probation for a period of one year on her furnishing probation bond with one surety, 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 warrant of the petitioner 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.

August 02, 2018
manoj

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No