

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

CRR-4664-2017 (O&M)

Date of Decision:- 15.12.2018

Harinder Singh Gouji @ Rocky

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.N.Ganeriwala, Advocate, for the petitioner.

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

GURVINDER SINGH GILL, J. (Oral)

Today at the very outset learned counsel for the petitioner has submitted that he restricts his submission to reduction in the quantum of sentence only and does not assail the conviction.

I have heard the learned counsel for the petitioner and also the learned State counsel and have also gone through impugned judgment dated 20.11.2017 passed by learned Additional Sessions Judge, Mansa whereby conviction of the petitioner for offence punishable under Section 25 of the Arms Act has been upheld.

Having perused the judgment, I do not find any infirmity in the findings as regards the conviction of the petitioner and the same are hereby affirmed.

Learned State counsel has today filed custody certificate indicating that the petitioner as on date has undergone 1 year, 3 months and 28 days, out of the imposed sentence of 3 years. Petitioner is not stated to be a previous convict although, one more case arising out of FIR No.91, dated 5.6.2017, registered at Police Station Payal, for offence under Sections 392/395/34 IPC is pending against him.

Bearing in mind the period of imprisonment already undergone and also that the petitioner is not stated to be a previous convict, in my opinion, there is room for reduction of sentence. Consequently, the sentence, as imposed upon the petitioner by trial Court and as affirmed by the Court of learned Additional Sessions Judge, Mansa is reduced from rigorous imprisonment of 3 years to the one already undergone. The fine shall however remain the same.

The petition, as such, is partly accepted to the extent indicated above regarding reduction in quantum of sentence only.

December 15, 2018

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No