

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

**CRR No.4789 of 2017 (O&M)
Date of decision: January 25, 2018**

Harpreet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Saurav Bhatia, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(ORAL)

Heard on the quantum of sentence. Custody certificate dated 25.01.2018 in respect of petitioner filed in Court is taken on record.

The allegations against the present petitioner Harpreet Singh @ Happy are that in a criminal case pending against him his co-accused Harchand Singh and Gurpreet Singh have filed applications on 24.10.2010 and 10.09.2016 for exemption from his personal appearance before the Court stating that he has gone to Madhya Pradesh on his truck. Later on, when his non-bailable warrants were issued for 23.10.2010, it was reported on 29.10.2010 that he has gone abroad several months back. Therefore, he was convicted by learned Chief Judicial Magistrate, Patiala under Section 174-A and 120-B sentenced to undergo rigorous imprisonment for one year in addition to fine. As per Custody certificate petitioner-Harpreet Singh has undergone the total sentence of 04 months and 09 days including remission of 08 days. Moreover, co-accused of the petitioner, namely, Harchand Singh and Gurpreet Singh have already been granted bail vide order dated 08.12.2017 in *CRR-4119-2017*.

Learned counsel for the petitioner submitted that as co-accused of the petitioners have already been granted bail, similar view be taken in this case also.

Considering the entirety of facts and circumstances, substantive sentence of rigorous imprisonment for one year is reduced to rigorous imprisonment for six months. Remaining part of the sentence is maintained.

With above noted modification, the present petition is dismissed.

(RAJ SHEKHAR ATTRI)
JUDGE

January 25, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No