

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

**CRM-13774-2018 in/and
CRR-4854-2017**
Date of Decision:01.05.2018

Rajesh Kumar alias BubbyPetitioner

Vs.

State of PunjabRespondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Parminder Walia, Advocate,
for the applicant/appellant.

Ms. Monika Jalota, Deputy Advocate General, Punjab assisted
by ASI Gurdas Singh.

AMOL RATTAN SINGH, J. (Oral)

CRM-13774-2018

The main petition itself (CRR-4854-2017) already being listed today at Sr. No.289 of the ordinary motion cause list, this application has been rendered infructuous.

Disposed of as such.

CRR-4854-2017

Notice having been issued on 19.12.2017 in this petition, qua the quantum of sentence alone, and the injured person, i.e. the complainant, ordered to be impleaded as respondent no.2, vide an order of this Court dated 15.01.2018, he not having appeared despite notice having been served by *dasti* process as per the report of the Registry even prior to 28.02.2018, and he not being present today either, nor represented by counsel, with the injury on the complainant not being one which has affected his life permanently, in

any manner as confirmed now by learned State counsel on instructions from ASI Gurdas Singh, I consider it appropriate to allow this petition to the extent that the quantum of sentence of imprisonment imposed upon the petitioner after his conviction for the commission of an offence punishable under Section 338 IPC, be reduced from six months rigorous imprisonment to the extent of imprisonment already undergone by him, i.e. about 5 months, with him in any case already having completed the sentence of 3 months imposed upon him as regards the commission of an offence punishable under Section 279 IPC.

The petitioner therefore be released from custody forthwith.

Disposed of.

May 01 , 2018

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO