

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

Criminal Revision No.2111 of 2018 (O&M)

Date of Decision: October 16, 2018

Padam Singh

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Balraj Singh Rathee, Advocate
for the petitioner (s).

Mr. Deepak Grewal, D.A.G., Haryana.

SURINDER GUPTA, J.

The present revision petition has been filed against the judgment dated 23.02.2018 passed by learned Additional Sessions Judge, Sonapat, dismissing the appeal filed by the present petitioner-convict against the judgment of conviction dated 29.11.2016 and order of sentence dated 30.11.2016 passed by learned Addl. Chief Judicial Magistrate, Sonapat vide which the petitioner has been convicted for the offence punishable under Section 25 of Arms Act and sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of ₹500/-, in default of payment of fine, to further undergo imprisonment for 15 days.

As per the case of prosecution, petitioner was apprehended by

the police party headed by Head Constable Rameshwar on 06.02.2012 and on his search, countrymade pistol of 32 bore was recovered from the right dub of his trouser.

Learned Magistrate convicted and sentenced the petitioner as mentioned in opening para of this judgment. Appeal filed by the petitioner was dismissed and his conviction and sentence as awarded by the trial Court was upheld.

Learned counsel for the petitioner has not challenged the conviction of the petitioner as recorded by the trial Court. He has requested for a lenient view regarding the quantum of sentence with submission that petitioner has faced agony of trial for a long period of about 6 years and is the only bread winner of the family.

Custody certificate produced on file shows that petitioner is involved in many cases. Besides this case, there is another case bearing FIR No.13 of 2017 registered at Police Station Borai Dhamtari for the offence punishable under Section 20 NDPS Act; FIR No.58/2016 registered at Police Station Mohana, Sonipat for the offence punishable under Section 420, 406, 506 IPC; FIR No.227/2017 registered at Police Station Kotwali Dhamtari for the offence under NDPS Act; FIR No.1052, registered at Police Station, City Panipat for the offence punishable under Sections 379,411, 420 IPC.

The sentence awarded to the petitioner is minimum sentence as prescribed under Section 25 of Arms Act and I find no special reason to award him the sentence less than minimum prescribed under Section 25 of

petitioner for taking lenient view regarding quantum of sentence.

This revision petition has no merits. Dismissed.

October 16, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*