

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

Crl. Revision No. 319 of 2018 (O&M)

Date of Decision: 12.07.2018

Puran

.. Petitioner

Vs.

State of Punjab

.. Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present:- Mr. Jagdish Rai, Advocate
Legal Aid Counsel for the petitioner.**

Mr. Ajay Pal Singh Gill, DAG Punjab.

ANITA CHAUDHRY, J.

The instant revision petition has been preferred against the judgment vide which the petitioner had been convicted and sentenced under Section 498-A IPC. His appeal was dismissed by the first Appellate Court.

Jangir Kaur was married to the petitioner on 22.02.2009. She lodged a complaint with the police against the petitioner and others alleging harassment and maltreatment for bringing more dowry. It was alleged that the accused misappropriated dowry articles. FIR No. 47 dated 04.07.2013 was registered under Sections 406 and 498-A IPC and investigated. Final report was filed against the petitioner, brother Balbir Singh and his wife Lachhmi Bai while others were found innocent.

The trial culminated into acquittal of Lachhmi Bai. The petitioner and his brother though were acquitted under Section 406 IPC but they were convicted under Section 498-A IPC and sentenced to rigorous imprisonment for two years and to pay a fine of Rs.1000/- each. In default of fine, they were required to further undergo rigorous imprisonment for one month.

In the appeal, the Court below acquitted Balbir Singh. The conviction of the petitioner was maintained, but his sentence was reduced to one year.

Dis-satisfied with the same, instant revision petition has been filed.

On 17.05.2018 limited notice on the quantum of sentence was issued.

Learned Legal Aid counsel has pointed out that out of awarded sentence of one year, the petitioner has undergone about 10 months and 14 days of sentence which include remission of one month and 10 days. He has further averred that except the matrimonial cases, no other case is pending against the petitioner and he has paid the fine amount.

Learned State counsel has not controverted this position.

The petitioner has already undergone the agony of protracted trial as well as appeal for more than 05 years. Considering the facts and circumstances of the case and the antecedents of the petitioner coupled with the nature of offence for which he has been convicted, this Court is of the considered opinion that ends of justice would be met if the sentence of the petitioner is reduced to the period already undergone by him under Section 498-A IPC. It is ordered accordingly. The order of conviction of the

petitioner is upheld. He be released forthwith, if not required in any other case.

With the above modification, the instant revision petition stands disposed of.

July 12, 2018
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable

Yes/ No