

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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**CRR-40-2018 &
CRM-550-2018**

Date of decision:19.04.2018

Jaspal Singh

...PETITIONER

Vs.

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Puneet Kumar Bansal, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

This revision petition is directed against the judgment of conviction and order of sentence dated 05.08.2016 passed by the Judicial Magistrate Ist Class, Sangrur in FIR No. 253 dated 10.09.2012 under Sections 279, 337, 338, 427 IPC, Police Station City Sangrur, wherein the petitioner was convicted and sentenced as follows:-

<u>Name of convict</u>	<u>Offence</u>	<u>Sentence</u>
Jaspal Singh	U/s 279 IPC	To undergo rigorous imprisonment for six months and to pay fine of Rs. 100/- and in default thereof, to undergo further RI for 15 days;
	U/s 337 IPC	To undergo rigorous imprisonment for six months and to pay fine of Rs. 200/- and in default thereof, to undergo further RI for 15 days;
	U/s 338 IPC	To undergo rigorous imprisonment for a period of one year and to pay fine of Rs. 200/- and in default thereof, to undergo further RI for 15 days;

appeal against which preferred by the petitioner was dismissed by the learned Additional Sessions Judge-I, Sangrur on 07.11.2017.

When this revision petition came up for hearing before this Court on 11.01.2018, notice of motion was issued to the limited extent of quantum of sentence only.

A perusal of the judgments passed by the Courts below would show that the injuries, which were caused because of the accident although were grievous in nature but the complainant and the injured have recovered. The conviction of the petitioner is upheld. As per the custody certificate, which has been produced in Court, indicates that he has completed 5 months and 7 days of actual sentence.

In the light of the fact that the petitioner is a sole bread winner of family of four dependents i.e. his wife, two unmarried daughters and one minor son, the sentence of the petitioner is reduced to the period already undergone. The petitioner be released from custody forthwith, if not required in any other case, on receipt of the copy of this order.

Copy of the order be given **dasti** under signatures of the Bench Secretary of this Court.

April 19, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No