

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

CRR-781-2018 (O&M)

Date of Decision:23.05.2018

Manga Singh

... Petitioner

Vs.

State of Punjab

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Karanvir Singh, Advocate
for the petitioner.

Mr. A.A. Pathak, Addl. A.G. Punjab.

P.B. BAJANTHRI J. (Oral)

Petitioner has been convicted by the Board of Juvenile Justice in case FIR No.134 dated 29.7.2008 registered at Police Station Kot Ise Khan on 02.01.2016 and sentenced as under:

Under Section 148 IPC	To be detained in Special Home for a period of one month
Under Section 307 IPC read with Section 149 IPC	To be detained in Special Home for a period of 2 years
Under Section 324 IPC read with Section 149 IPC	To be detained in Special Home for a period of six months
Under Section 324 IPC	To be detained in Special Home for a period of six months
Under Section 323 IPC read with Section 149 IPC	To be detained in Special Home for a period of one month

2. Feeling aggrieved by the order of conviction and sentence dated 2.1.2016 passed by the Board of Juvenile Justice, petitioner preferred an appeal. Appeal was partly allowed vide order dated 1.11.2017 while modifying the sentence and ordered that the petitioner will perform community service in Civil Hospital, Moga for a period of one year. He was directed to report to Civil Surgeon Moga on 1.12.2017. Thus, the present revision petition.

3. Learned counsel for the petitioner has not pointed out any error committed by the Sessions Court in the order dated 1.11.2017 passed by the

Additional Sessions Judge, Moga. It was submitted that petitioner is aged about 25 years and order dated 1.11.2017 is being complied even to this day. Therefore, order dated 1.11.2017 be modified to the extent that whatever the period petitioner has already undergone. I have gone through the judgment of the appellate court. Perusal of the judgment, it is very much clear that every contention raised by the petitioner was taken into consideration and he was awarded minimum sentence. Modifying the sentence is justified as the offence committed by the petitioner is heinous in nature. So, I am not convinced with the prayer for further reduction of sentence. Sessions Court has also taken a lenient view from modifying the sentence from two years to perform community service of one year in civil Hospital at Moga instead of detention. In view of these facts and circumstances, petitioner has not made out a case.

5. Accordingly, revision petition stands dismissed.

23.05.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**