

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

CRR-858-2018

Decided on: 01.06.2018

Anuj

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Sulinder Kumar, AAG, Haryana.

H.S. MADAAN, J (ORAL)

Accused Anuj alongwith his co-accused Subhash @ Chani, Ishwar and Kuldeep faced tried by Judicial Magistrate 1st Class, Hisar, who vide judgment dated 30.03.2016 convicted him for an offence under Section 120-B IPC and sentenced him to undergo simple imprisonment for a period of 2 years and to pay a fine of Rs.10,000/-. In default of payment of fine, to further undergo simple imprisonment for a period of 2 months.

The accused-convict had preferred an appeal against the impugned judgment of his conviction and sentence to Court of Sessions, which was assigned to learned Additional Sessions Judge, Hisar, who vide judgment dated 21.02.2018, upheld the conviction. However, reduced the sentence from 2 years to 1 year, while maintaining the sentence. As regards payment of fine, it was kept intact.

Thereafter, he has approached this Court by way of filing revision petition, notice of which was given to the State.

I have heard learned counsel for the revisionist and learned State counsel besides going through the record.

At the very outset, learned counsel for the revisionist states that he does not challenge the impugned judgments passed by the Courts below on the point of conviction, but has got submissions as regards the sentence part. According to him, the petitioner is aged about 30 years, married and his family is dependent upon him for financial support. He has already undergone about 10 months of his imprisonment in this case, therefore, a lenient view in the matter be taken.

On the other hand, learned State counsel has pointed out that petitioner is involved in several other criminal cases under various provisions of IPC. However, he is on bail on those cases.

Keeping in view the facts and circumstances of the case and the circumstances explained by the counsel for revisionist, I am of the view that ends of justice shall be adequately met if while maintaining the conviction of the petitioner-accused, his sentence of one year imprisonment is reduced to one already undergone by him in this case. Amount of fine is said to have already been deposited. It is ordered accordingly.

As such the revision petition challenging the impugned judgment stands disposed of with the above modification in the sentence. The petitioner – Anuj, who is stated to be in custody is ordered to be released forthwith on payment of fine, if his custody is not required in connection with any other case.

Necessary intimation be sent to the quarter concerned.

01.06.2018
Dinesh

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No