

CRR-35-2019 (O&M)

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

**CRR-35-2019 (O&M).
Decided on: August 28, 2019.**

Lakhwinder Singh @ Lakhi

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR.JUSTICE AMOL RATTAN SINGH

*** * ***

**PRESENT Mr.Harshit Jain, Advocate,
for the petitioner.**

Mr.Ajay Pal Singh Gill, DAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Notice of motion having been issued in this revision petition, learned State counsel has put in an appearance.

Learned counsel for the petitioner submits that the petitioner is restricting his prayer in the revision itself to the quantum of sentence imposed by the trial Court, after his conviction for the commission of offences punishable under Sections 325 and 323 of the IPC.

The sentence imposed upon him in respect of the offence under Section 325 of the IPC is seen to have been reduced to nine months by the learned Appellate Court, from the one year sentence imposed upon

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him by the learned trial Court.

As regards, the punishment under Section 323 of the IPC, the petitioner was sentenced to six months rigorous imprisonment with both the sentences to run concurrently. He was also imposed a fine of Rs.5,000/- as regards the offence punishable under Section 325 of the IPC and Rs.1,000/- as regards the offence punishable under Section 323 of the IPC, with the imprisonment to be undergone by him in default of making the payment, being of one month and 15 days respectively.

Learned counsel for the petitioner submits that the petitioner is a first time offender as can be borne out from the custody certificate filed by the learned State counsel; and as such, with him having no criminal antecedents, he deserves the concession of reduction of the sentence imposed upon him.

The petitioner is seen to be 32 years of age when he first faced the trial, and he is not shown to be involved in any other case.

Looking at the fact that the petitioner is not such a young man as should be granted any further concession than what has been granted by the learned Appellate Court, further considering the fact that he is stated to have inflicted two injuries on the head of the complainant, the prayer for reducing the sentence to six months or to the period already undergone by him is declined; yet, keeping in mind that he is a 'first time offender' the sentence imposed under Section 325 of the IPC is reduced to seven months rigorous imprisonment. The sentence of fine imposed by the Courts below in respect of each offence, is maintained.

The fine is stated to have already been paid. If the

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statement is found to be incorrect, the fine shall be paid prior to the release of the petitioner, failing which he shall undergo the default imprisonment imposed by the learned Courts below.

Disposed of.

August 28, 2019.
raj arora

(AMOL RATTAN SINGH)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No