

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

245)

CRR no.807 of 2019 (O&M)
Date of Decision: 17.09.2019

Kulwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Gursimran Singh Bhatia, Advocate, for the petitioner.
Ms. Ruchika Sabharwal, AAG, Punjab

Amol Rattan Singh, J. (Oral)

On September 10, 2019, the following order had been passed:-

“Learned counsel for the petitioner submits that the petitioner does not wish to press the petition on merits and that he would be satisfied, with an order on the quantum of sentence alone, he having been sentenced to one year of rigorous imprisonment for the commission of an offence punishable under Section 420 of the IPC, with a fine of Rs. 1,500/- also having been imposed upon him.

Learned State counsel would file the latest custody certificate in respect of the period undergone by the petitioner, by the next date of hearing.

Adjourned to 17.09.2019.”

Learned State counsel has produced in Court a custody certificate in respect of the petitioner, showing that out of the actual substantial sentence of one year imposed upon him by the trial court, along with a fine of Rs.2,000/-, he has already undergone 8 months and 2 days of custody, as of today.

Learned counsel for the petitioner already having submitted that he does not wish to contest the petition on merits (he not challenging

his conviction), he would be satisfied if an order is passed on the quantum of sentence.

As per the custody certificate filed in Court today, there is no other case shown to be registered against the petitioner.

That being so, while maintaining the conviction of the petitioner for the commission of an offence punishable under Section 420 of the IPC, as also the fine imposed upon him for the commission of the said offence, which learned counsel submits that has already been paid, the quantum of sentence is reduced to the period already undergone by him.

Consequently, the petitioner would be released from jail upon his completing necessary formalities, with the necessary warrants of his release to be issued accordingly.

The petition is disposed of in the above terms.

17.09.2019
vcgarg

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No