

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Revision No.938 of 2006
Date of Decision: September 10, 2019.

Parveen alias Fateh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Rakesh Nehra, Advocate, for the petitioner.
Mr.Anmol Malik, AAG, Haryana.

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Anil Kshetarpal, J. (Oral)

This revision petition has been filed against the judgment dated 02.12.2005 passed by the Juvenile Justice Board, Sonapat convicting the petitioner (who was juvenile at that time) under Sections 392/397 IPC and sentenced to keep him in protective custody for a period of four years in Bostral Jail, Hisar. In appeal, Additional Sessions Judge, Sonapat reduced the sentence to two years while returning a finding that offence under Section 397 IPC is not made out.

The petitioner was released on suspension of sentence vide order dated 11.09.2006 after noting that he had already undergone the imprisonment for a period of one year out of two years.

Learned counsel for the petitioner submits that the petitioner is a reformed person. He is not an accused in any other offence since October, 2004. Learned counsel further submits that the petitioner is now a married man having two children and he is running a karyana shop.

Learned State counsel, on instructions from ASI Raj Kumar, has submitted that the petitioner was previously involved in various cases,

however after October, 2004, the petitioner is not involved in any case.

One of the purpose of imprisoning the convict is to reform him. The petitioner was admittedly juvenile at the time when he committed various offences. 15 years have lapsed till now. In these 15 years, as per information available, there is no case against the petitioner.

As per Section 392 IPC, there is no minimum sentence.

Keeping in view the peculiar facts and circumstances of the present case, sentence of the petitioner is reduced to one years from two years, which he has already undergone.

The revision petition stands allowed accordingly.

September 10, 2019
mohinder

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No