

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

216

CRR No.1437 of 2008 (O&M)

Date of decision : 24.09.2019

Karamjit Singh @ Laddu

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Rahil Mahajan, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the judgements and orders of the Courts below, whereby he has been convicted under Section 224 of the Indian Penal Code and sentenced to undergo imprisonment for a period of one year.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he was under trial in a case under the NDPS Act. The petitioner, on the pretext of answering call of nature, had fled from the police custody. He was re-arrested after five days and after the conclusion of the trial, he was acquitted of charges under the NDPS Act. He further contends that he is not challenging the conviction and would confine his prayer to the reduction in the quantum of sentence to the period already undergone. The petitioner is not involved in any other case and has undergone sentence of almost six months against sentence of one year. The petitioner is facing criminal proceedings for over 18 years as the offence had taken place in the

year 2001.

Learned State counsel has filed custody certificate of the petitioner in Court, which indicates that the petitioner has undergone sentence of 05 months and 21 days out of the sentence of one year and is not involved in any other case. He also states that the petitioner is a *Dalit*.

Heard.

The petitioner is alleged to have fled away from the police custody but he was re-arrested and had faced trial wherein he was acquitted. The petitioner is facing protracted criminal proceedings for over 18 years. He is not involved in any other case and has undergone sentence of 05 months, 21 days out of the sentence of one year. It would be in the interest of justice if the sentence of the petitioner is reduced to the period already undergone. While maintaining his conviction under Section 224 IPC, the sentence of the petitioner is reduced to the period already undergone.

With the above modification, the petition stands disposed of.

September 24, 2019
sonia gugnani

(ANUPINDER SINGH GREWAL)
JUDGE

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