

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

CRR-1576-2008

Date of decision : 28.08.2019

Mewa Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Amanpreet Kaur Sabharwal, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the judgment of the trial Court whereby he has been convicted under Sections 279, 337 and 338 IPC and sentenced to undergo rigorous imprisonment for a period of one year and fine of ₹700/- and in default of payment of fine, further rigorous imprisonment for a period of four months as well as the judgment passed by the Additional Sessions Judge, Sangrur whereby the appeal against the trial Court judgment was dismissed.

Learned counsel for the petitioner contends that she is not challenging the conviction and would confine her prayer to the quantum of sentence which may be reduced to the period already undergone by the petitioner. She further submits that the petitioner has undergone a sentence of 6 months out of the total sentence of one year. The incident took place on 06.04.2003 and the complainant and his wife, who had suffered injuries on the non-vital part of their bodies have fully recovered therefrom. The petitioner is a professional driver and is the sole bread winner of his family. He has been facing the agony of protracted criminal proceedings for over 16 years. There is no other case against him.

Learned State counsel has filed the custody certificate which indicates that the petitioner had undergone sentence of 6 months and 9 days, out of the total sentence of one year.

Heard.

The injured have fully recovered from the injuries. The petitioner is a professional driver and the sole bread winner of his family. He has undergone sentence of imprisonment of 6 months and 9 days, out of the total sentence of one year. He has been facing protracted criminal proceedings for almost 16 years. The petitioner is not involved in any other case. It would, therefore, be in the interest of justice, if the sentence of the petitioner is reduced to the period already undergone by him.

Consequently, while maintaining the conviction, the sentence of the petitioner is reduced to the period already undergone by him.

With this modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

28.08.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No