

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

206

CRR-1623-2008 (O&M)

DATE OF DECISION: 31.05.2019

MANJIT SINGH AND ORS.

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. M.S. Sidhu, Advocate for the petitioner(s)

Mr. Amit Mehta, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners have challenged the judgments of the Courts below whereby they have been convicted under Section 61 (1) (c) of the Punjab Excise Act, 1914 and sentenced to undergo rigorous imprisonment for a period of 1 year and to pay a fine of Rs.5,000/-, in default of payment of fine to further undergo rigorous imprisonment for a period of one month.

Learned counsel for the petitioners submits that he is not challenging the conviction of the petitioners and would confine his prayer to reduction in the sentence to the period already undergone by them. The petitioners have undergone an actual sentence of over 6 months out of the total sentence of 1 year.

Learned State counsel has filed the custody certificates of the petitioners which indicate that the petitioners have undergone an actual sentence of 6 months and 17 days out of the total sentence of 1 year.

Heard.

The allegations against the petitioners are that they were found to be distilling illicit liquor and a drum boiler with 50 litres of *lahan* and 5 bottles of illicit distilled liquor was recovered from them. The incident took place in the year 2001 and therefore, the petitioners are facing protracted criminal proceedings for over 18 years. They are not involved in any other case. They have already undergone half of the sentence. The ends of justice would be met in the event of their sentence being reduced to the period already undergone by them.

Therefore, while maintaining the conviction, their sentence is reduced to the period already undergone by the them.

With this modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

31.05.2019.

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No