

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

209

CRR-1736-2008 (O&M)

D A T E O F D E C I S I O N : 15.10.2019

HANSA SINGH AND ORS.

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Madan Sandhu, Advocate for the petitioner(s)

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners have challenged the judgments and orders of the Courts below whereby they have been convicted under Sections 452, 323/34 and 324/ 34 IPC and sentenced to undergo rigorous imprisonment for a period of 1 year each and to pay a fine of Rs.2000/- each. All the sentences were ordered to run concurrently.

Learned counsel for the petitioners contends that the FIR is outcome of a matrimonial dispute between the complainant and his wife. The petitioners are close relatives of the wife of the complainant. All the injuries which were caused to the complainant were found to be simple in nature. They are on non-vital parts of the body of the complainant except one injury on his face which was also found to be simple in nature. The petitioner No.1 was alleged to be armed with a knife type weapon while other petitioners were armed with sticks. The injured had fully recovered from his injuries.

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 5 months out of the total sentence of 1 year. The occurrence took place over 18 years ago in the year 2001. The sentence of the petitioners had

been suspended on 31.10.2008 and they are not involved in any untoward incident thereafter.

Learned State counsel has filed the custody certificates of the petitioners which indicate that the petitioners have undergone an actual sentence of 5 months and 27 days out of the total sentence of 1 year.

Heard.

The incident took place in the year 2001. The petitioners are facing protracted criminal proceedings for over 18 years. They are first offenders and are not involved in any other case. Only simple injuries were caused in the incident. After their release on bail, there has been no untoward incident involving the petitioners. They have already undergone half 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 them.

With this modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

15.10.2019.

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No