

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

204

CRR-1762-2008

DATE OF DECISION: 22.08.2019

SODHI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. G.P.S. Bal, Advocate for the petitioner(s).

Ms. Sudeepti Sharma, Addl. A.G., Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the judgment of the trial Court whereby he has been convicted under Sections 323, 324 and 325 read with Section 34 IPC and sentenced to undergo rigorous imprisonment for a period of nine months along with fine of Rs.200/- as well as the judgment passed by the Additional Sessions Judge, Jalandhar whereby the appeal against the trial Court judgment was dismissed.

Learned counsel for the petitioner contends that he is not challenging the conviction and would confine his prayer to the quantum of sentence which may be reduced to the period already undergone by him. He further submits that the petitioner has undergone total sentence of 2 ½ months out of 9 months. He also contends that no overt act is attributed to the petitioner. He was accused of only having raised a lalkara and getting caught hold of the injured. The incident took place in 2002 and the petitioner has been facing criminal proceedings for almost 2 decades. It is mentioned in the order of this

Court dated 18.12.2008 that the petitioner had remained in custody for a period of 2 ½ months.

Heard.

No injury has been attributed to the petitioner. He is accused of raising 'lalkara' and catching hold of the injured. He has undergone sentence of imprisonment of almost 2 ½ months out of 9 months. He has been facing protracted criminal proceedings for almost 2 decades. 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.

22.08.2019

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No