

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

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CRR No.2409 of 2008 (O&M)

Date of decision : 23.07.2019

Sardara Singh and another

... Petitioners

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Parminder Singh-I, Advocate for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioners have challenged the orders of the trial Court and the Appellate Court, whereby they have been convicted under Sections 452, 324 & 323 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for three years.

Learned counsel for the petitioners, at the outset, contends that petitioner No.1, namely, Sardara Singh has expired and therefore, the proceedings qua him would abate.

In view of the submission of learned counsel for the petitioner, the revision petition qua petitioner No.1 stands abated.

Learned counsel, qua petitioner No.2, contends that as per the case of the prosecution, he had caused simple injuries on the complainant who is stated to have fully recovered. He is now 60 years of age and is not keeping good health. Petitioner No.2 is facing criminal proceedings since 02.07.2003 and has already undergone an actual sentence of one month twenty-two days and he is not involved in any other case. Learned counsel also contends that petitioner No.2 is not challenging his conviction and would confine his prayer

to the reduction in the quantum of sentence to the period already undergone.

Heard.

The incident is of the year 2003 and the injuries which were attributed to petitioner No.2 are simple in nature and the injured has fully recovered. Petitioner No.2 is now more than 60 years of age and is facing criminal proceedings for over 15 years. He has already undergone an actual sentence of one month twenty-two days out of total sentence of three years as recorded in the order dated 22.12.2008 whereby his sentence was suspended and is not involved in any other case. 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 Sections 452, 324 & 323 of IPC, the sentence of petitioner No.2, namely, Makhan Singh, is reduced to the period already undergone.

With the above modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 23, 2019
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Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No