

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

225

CRR-2444 of 2008

DATE OF DECISION: 15.07.2019

Nazar Singh

... Petitioner

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Narinder Singh, Advocate for the petitioner(s).

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the orders of the Courts below whereby he has been convicted in FIR No. 64 dated 17.09.2002 under Section 324/323 IPC, Police Station Jaurkain and sentenced to undergo rigorous imprisonment for a period of one year.

Learned counsel for the petitioner contends that he is not challenging the conviction and would confine his prayer to the reduction in the quantum of sentence to the period already undergone by the petitioner. He submits that petitioner has undergone sentence for over one month out of total sentence of one year. He also contends that the petitioner is a Dalit and a land less labourer. The petitioner is the sole bread winner of his family, which comprises his wife and seven children. He also contends that the incident took place in the year 2002 and the petitioner has been facing criminal proceedings for over 17 years. Learned counsel further contends that the petitioner is not involved in any other case and after the incident in the year 2002, the parties are residing peacefully in the same locality.

Heard.

The petitioner is a Dalit and a land less labourer. He is not involved in any other case. The petitioner and the complainant are residing in the same locality and it is stated that there has been no untoward incident since the aforementioned occurrence in the year 2002. The petitioner has undergone sentence of one month, out of total sentence of one year. 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. However, the petitioner will deposit Rs. 15,000/- as compensation amount with the Legal Services Authority, which will be disbursed to the complainant or to his legal heirs.

With this modification, the petition stands disposed of.

15.07.2019

rakesh

**(ANUPINDER SINGH GREWAL)
JUDGE**

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