

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

204

CRR No.2517 of 2008 (O&M)

Date of decision : 03.07.2019

Pardeep @ Bhom

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. KPS Virk, Advocate for the petitioner.

Mr. R.K. Doon, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the orders of the trial Court and the Appellate Court, whereby he has been convicted under Sections 8 and 9 of the Haryana Good Conduct Prisoner (Temporary) Release Act, 1988 (for short, the Act') and sentenced to undergo simple imprisonment for two years and to pay a fine of ₹ 2000/- and in default thereof, to undergo further imprisonment for three months.

Learned counsel for the petitioner contends that the allegations against the petitioner are that while he had been granted parole in the year 2006, he had overstayed the period of parole for 7 months and 8 days later. Learned counsel also contends that he is confining his prayer in this petition to the reduction in the quantum of sentence as the petitioner has already undergone imprisonment for a period of one year out of the total sentence of two years. The incident took place over a decade ago and there is nothing adverse pertaining to his conduct in jail thereafter. He is facing criminal proceedings over a decade.

Heard.

It is manifest that the incident had taken place over a decade ago and the petitioner has already undergone an actual sentence for one year out of the total sentence of two years. Aside of the incident which is the subject matter of the instant case, there is nothing to suggest that his behaviour in the jail was unsatisfactory. 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 8/9 of the Act, the sentence of the petitioner is reduced to the period already undergone and the petitioner be released from custody in this case, if not required in any other case.

With the above modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 03, 2019

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Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No