

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

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CRR No.2669 of 2008 (O&M)

Date of decision : 10.09.2019

Bikkar Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Ms. Bhupinder Pal Kaur Brar, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the judgements and orders of the Courts below, whereby he has been convicted under Section 61(1)(C) of the Punjab Excise Act and sentenced to undergo rigorous imprisonment for one year and to pay a fine of ₹ 5,000/-, in default thereof to further undergo rigorous imprisonment for two months.

Learned counsel for the petitioner contends that the allegations against the petitioner are that parts of a working still, 30 litres of lagan and 6 bottles of illicit liquor were recovered from him. Learned counsel also contends that the petitioner is not challenging his conviction and would confine his prayer to the reduction in the quantum of sentence to the period already undergone. The petitioner has already undergone sentence for over two months out of the sentence of one year and is not involved in any other case. She also contends that there is nothing adverse against the conduct of the petitioner after his release on bail in the instant case by the Coordinate Bench of this Court on

02.02.2009.

Learned State counsel has filed custody certificate in Court which is taken on record. This certificate indicates that the petitioner has already undergone sentence of two months and seven days out of the sentence of one year and is not involved in any other case.

Heard.

The petitioner is facing protracted criminal proceedings for 17 years and is not involved in any other case. The petitioner has undergone sentence of two months and seven days and there is nothing adverse against his conduct after his release on bail. It would, therefore, be in the interest of justice if the sentence of the petitioner is reduced to the period already undergone. While maintaining his conviction under Section 61(1)(C) of the Punjab Excise Act, the sentence of the petitioner is reduced to the period already undergone.

With the above modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

September 10, 2019

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