

In the High Court of Punjab and Haryana at Chandigarh

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CRR-2708-2008 (O & M)
Date of Decision: 24.07.2019

BACHITTAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Tarun Sharma, Advocate for
Mr. P. S. Jammu, Advocate for the petitioner.

Ms. Sudipti Sharma, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the judgments of the Courts below whereby he has been convicted under Section 61(i)(c) of the Punjab Excise Act, 1914 and sentenced to undergo imprisonment for a period of one year.

Learned counsel for the petitioner contends that working still, 5 litres of illicit liquor and 20 litres of Lahan were recovered. He states that there is no independent witness to the recovery. He also contends that he is not challenging the conviction of the petitioner and would confine his prayer in this petition to reduction in the quantum of sentence to the period already undergone. The petitioner is facing the agony of protracted criminal proceedings for over 17 years as the incident took place on 10.03.2002.

In terms of the order of this dated 04.03.2009 whereby sentence of the petitioner had been suspended, the petitioner had undergone sentence of six months out of the total sentence of one year.

Heard.

The petitioner had been convicted under Section 61(i)(c) of the Punjab Excise Act, 1914 and sentenced to undergo imprisonment for a period of one year. The petitioner is facing the agony of protracted criminal proceedings for over 17 years. There is no independent witness to the recovery. The petitioner has undergone sentence of six months.

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.

(ANUPINDER SINGH GREWAL)
JUDGE

July 24, 2019

A.Kaundal

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