

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-357-2009(O&M)
Date of decision: 08.11.2019

Harjinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Amandeep Singh Manaise, Advocate for the petitioner
Mr. S.P.S.Tinna, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Petitioner assails correctness of judgment of conviction and order of sentence passed by the Magistrate confirmed in appeal.

Petitioner is alleged to have secured a job by making interpolation in his matriculation certificate by changing his date of birth from 10.2.1968 to 10.2.1971. As per the judgment passed by learned Court of Sessions, petitioner has been convicted under Section 420, 471 IPC and was sentenced to undergo rigorous imprisonment for a period of 3 years. The interpolation stands proved by examining Varinder Singh, an official from Punjab School Education Board alongwith report Ex.PW6/A.

Learned counsel for the petitioner after arguing at considerable length and apprehending that this Court is not inclined to accept the revision petition, has come up with an alternative prayer while surrendering the challenge to the judgment on merits. He submits that petitioner had already lost his job because of the aforesaid interpolation on 1.9.1998. Petitioner is now more than 51 years old. He is first time offender. He has also

undergone 5 months and 9 days of actual sentence. He submits that keeping in view the facts of the case, this Court should take a lenient view.

No doubt the offence committed by the petitioner does not deserve any leniency, however, keeping in view the facts which have been asserted by the learned counsel for the petitioner, this Court is of the considered view that ends of justice would be met if the sentence awarded to the petitioner is reduced to the period already undergone by him, particularly, keeping in view the fact that petitioner has already been removed from his job and is facing protracted criminal prosecution for more than 20 years.

With the aforesaid modification, present petition stands disposed of.

08.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)**JUDGE**

Yes / No

Yes / No