

In the High Court of Punjab and Haryana at Chandigarh

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CRR-1180-2019 (O & M)

Date of Decision: September 16, 2019

KULDEEP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Siddharth Gupta, Advocate
for the petitioner.

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

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the judgments and orders of the Courts below, whereby he has been convicted under Sections 419, 420, 465, 467, 468 and 471 IPC and sentenced to undergo rigorous imprisonment for three years.

Learned counsel for the petitioner contends that the judgments of the Courts below are unwarranted from the evidence on record. The allegations against the petitioner are that he had allegedly used the Matriculation Certificate of his brother while joining the Indian Army in the year 1994. The petitioner has served in the Indian Army and retired after rendering service for over 16 years. He also states that the petitioner is the sole bread winner of his family and has undergone sentence of ten months out of total sentence of three years. He also states that FIR was lodged in the year 2014 i.e. 20 years after he had joined the service. He is not involved in any other case. He has confined his prayer to reduction in sentence to the period already undergone by him.

Learned State counsel has filed the custody certificate dated 09.09.2019 which is taken on record. It indicates that the petitioner has undergone total sentence of 09 months and 26 days out of the total sentence of three years.

Heard.

The petitioner had been convicted under Sections 419, 420, 465, 467, 468 and 471 IPC and sentenced to undergo rigorous imprisonment for three years by the trial Court. The petitioner had used the Matriculation Certificate of his brother while joining the Indian Army in the year 1994. He has served in the Indian Army and retired after rendering service for over 16 years. He has undergone sentence of imprisonment of 10 months out of the total sentence of three years. He is not involved in any other case and is the sole bread winner of his family.

It would, therefore, be in the interest of justice, if the sentence of the petitioner is reduced to the period already undergone by him. He shall be released from custody, if not required in any other case.

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

September 16, 2019

A.Kaundal

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