

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-39624-2019 in/and
CRR-1309-2019 (O&M)
Date of Order: 17.12.2019

Gurdeep Singh @ Deepa

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vishva Nath Sharma, Advocate
for the applicant-petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab

ANIL KSHETARPAL, J(Oral)

CRM-17757-2019

For reasons mentioned in the application, delay of 461 days in filing the present revision petition is condoned, particularly when the petitioner is in custody.

MAIN

Learned counsel for the petitioner has submitted that he has instructions not to argue the revision petition on merits, however, prays for reduction of sentence as ordered by a Coordinate Bench in the cases of co-accused-Baljinder Singh, Daljit Singh and Makhan Singh (Criminal Revision Nos.7 and 8 of 2018).

Learned State counsel, on instructions from ASI Ram Kumar, has admitted that role of the petitioner and other co-accused in Criminal Revision Nos.7 and 8 of 2018 is similar. He further submits that the petitioner has already undergone 01 year 05 months and 20 days including

remission out of total sentence of 2 years.

The operative part of the joint order dated 28.01.2019 passed by a Coordinate Bench in Criminal Revision Nos.7 and 8 is extracted as under:-

Having considered the above facts that the petitioners have been convicted and sentenced under Section 382 IPC for two years and against that convicts, Baljinder Singh and Daljit Singh (Petitioners in CRR-7-2018) have already undergone actual sentence of 01 year, 6 months and 15 days and 01 year, 5 months and 27 days (including remissions) as per the custody certificates dated 24th and 25th January, 2019 respectively and Makhan Singh (Petitioner in CRR-8-2018) has already undergone actual sentence of 01 year, 5 months (including remissions) as per the custody certificate dated 24th January, 2019 and there being no other case against the present petitioners, taking a lenient view on the point of sentence, the order of sentence is modified to the extent that the sentence of petitioner, Malkiat Singh in this case shall be reduced to the period they have already spent while remaining in custody during the period of trial, appeal proceedings and this revision petition. The petitioners be released from custody in this case, if not required in any other case.

For the reasons stated above, sentence of the petitioner is also reduced to the period already undergone i.e. 01 year 05 months and 20 days including remission. The petitioner be released forthwith in this case, if his custody is not required in any other case.

Resultantly, the present revision petition stands disposed of in the above terms.

December 17, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No