

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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C.R.R. No.3979 of 2014 (O&M)

Date of decision : 15.01.2019

Karam Singh

..... Petitioner

Versus

The State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Rahul Vats, Advocate
for the petitioner.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana.

AJAY TEWARI, J. (Oral)

This revision has been filed against the concurrent conviction of the petitioner for the commission of offence under Sections 279/304-A IPC in FIR No.13 dated 01.02.2010 registered at Police Station Cheeka.

The sentence awarded to the petitioner is as under:-

Under Section 279 IPC : To undergo R.I. for a period of six months and to pay a fine of Rs.500/- and in default of payment of fine to further undergo simple imprisonment for a period of 15 days.

Under Section 304-A IPC : To undergo R.I. for a period of 2 years and to pay a fine of Rs.5,000/- and in default of payment of fine to further undergo simple imprisonment for a period of 3 months.

It was also ordered that both the sentences shall run concurrently.

At the very outset learned counsel for the petitioner fairly states that he would not challenge the conviction but the custody certificate would reveal that no other case is pending against him and therefore only prays

that the sentence be reduced since the petitioner has learnt his lesson and any long incarceration may not have any reformatory effects but may ultimately harden the petitioner.

Custody certificate dated 13.01.2019 by way of affidavit of Tej Singh, Deputy Superintendent, District Prison (Kaithal), Haryana on behalf of State has been filed and the same is taken on record. Copy supplied to the counsel opposite. As per the custody certificate the petitioner has undergone actual sentence of 01 month and 27 days of custody out of the total sentence of 02 years.

Learned Deputy Advocate General has also not seriously opposed the prayer for reducing the sentence to whatever this Court may deem it appropriate.

In the circumstances, the revision against the conviction is dismissed but the sentence of the petitioner is reduced to 6 months.

Let him now surrender/be apprehended within two weeks to undergo the remaining part of the sentence. Ordered accordingly.

Petition stands disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 15, 2019
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No