

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

1. CRR-3498-2017 (O&M)
Date of Decision:- 16.1.2019

Vikram Chauhan ... Petitioner

Versus

State of Haryana ... Respondent

2. CRR-3776-2017 (O&M)

Rajesh Dutta ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.S.Cooner, Advocate, for the petitioner
(in CRR-3498-2017).

Mr. Vipul Aggarwal, Advocate, for the petitioners
(in CRR-3776-2017)

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. Mr. Vipul Aggarwal, Advocate appeared on behalf of petitioner-
Rajesh Dutta and filed power of attorney, which is taken on record.

2. This order shall dispose of the above mentioned two revision petitions filed on behalf of Vikram Chauhan and Rajesh Dutta, challenging judgment dated 7.9.2017 passed by learned Additional Sessions Judge, Karnal whereby their conviction for offences under Sections 420, 468, 470 and 471 IPC and 137 of Railway Act as recorded by learned Additional Chief Judicial Magistrate, Karnal has been upheld.
3. The allegations, in nutshell, are that Rajesh Dutta while travelling in a train was found to be in possession of forged identity card showing him to be an employee of Department of Railways and the allegation against Vikram Chauhan are to the effect that he had furnished a blank identity card which was later on misused by the other accused.
4. Having heard the learned counsel for the petitioner(s) and having perused the impugned judgments, I do not find any infirmity in the finding as regards the conviction of the petitioner(s) and the same are hereby affirmed.
5. However, as far as the sentences are concerned, I find that the same are on higher side and there are some room for reduction of the same especially keeping in mind the fact that the petitioner(s) have been facing incarceration of trial since the last more than 12 years.
6. As per custody certificate filed today in the Court, petitioner-Vikram Chauhan is stated to have undergone sentence to the extent of 6 months and 28 days including remission to the tune of 1 month. Petitioner-Rajesh Dutta is stated to have undergone sentence to the

extent of 7 months and 29 days out of the total imposed sentence of 2 years.

- 7. Bearing in mind the sentences already undergone and the fact that the petitioner(s) are not stated to be a previous convicts, the substantive sentence of imprisonment is reduced from 2 years to the one already undergone. The fine shall however remain unaltered.
- 8. The revision petitions are dismissed except for the aforesaid modification in quantum of sentence only.

January 16, 2019
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(GURVINDER SINGH GILL)
JUDGE

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