

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

CRR-2703-2018 (O&M)
Date of Decision:- 1.7.2019

Seera Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Gupta, Advocate for
Mr. vivek Goel, Advocate, for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this court challenging their conviction, as recorded by Sub Divisional Judicial Magistrate, Nihal Singh Wala vide judgment dated 6.5.2017 and as upheld by the Court of learned Additional Sessions Judge, Moga vide judgment dated 31.7.2018.
2. The petitioners have been sentenced to undergo rigorous imprisonment for different offences as follows:

Name of accused	Offence	Sentence	Fine	In default
Seera Singh	325/149 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	323 IPC	RI for 1 year	Rs.1000/-	RI for 2 months
	148 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	452 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
Jita Singh	325/149 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	323/149 IPC	RI for 1 year	Rs.1000/-	RI for 2 months
	148 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	452 IPC	RI for 2 years	Rs.3000/-	RI for 2 months

Dharminderjit Singh	325 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	323/149 IPC	RI for 1 year	Rs.1000/-	RI for 2 months
	148 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	452 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
Satnam Singh	325 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	323/149 IPC	RI for 1 year	Rs.1000/-	RI for 2 months
	148 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	452 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
Jagtej Singh	325 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	323/149 IPC	RI for 1 year	Rs.1000/-	RI for 2 months
	148 IPC	RI for 2 years	Rs.3000/-	RI for 2 months
	452 IPC	RI for 2 years	Rs.3000/-	RI for 2 months

3. Vide order dated 5.10.2018, this Court had issued notice of motion qua quantum of sentence only.
4. Learned counsel for the petitioners has submitted that petitioners Satnam Singh and Jita Singh have not been attributed any injury and that in fact Satnam Singh had also been declared innocent by the police but it was subsequently with the aid of Section 319 Cr.P.C., he was summoned. It has further been submitted that in any case all the petitioners have undergone more than 11 months out of the imposed sentence of 2 years and that in these circumstances the petitioners deserves reduction in sentence.
5. Opposing the petition, the learned State counsel assisted by learned counsel for the complainant has submitted that since serious allegations of eve-teasing have been levelled against the petitioners and that in fact accused Seera Singh @ Gurpreet Singh as well as Dharamjit Singh are also involved in one more case, no case for reduction of sentence is made out.

6. Having considered rival submissions addressed before this court and while also noticing the custody period in respect of the accused, the sentence imposed upon petitioners Satnam Singh and Jita Singh, in respect of offence under Section 325 read with Section 149 IPC is reduced from rigorous imprisonment for 2 years to rigorous imprisonment for 1 year, subject to the condition that they pay an amount of ₹ 20,000/- each, as compensation to the complainant. The sentences in respect of the remaining offences shall however remain unaltered.
7. As regards petitioners Seera Singh @ Gurpreet Singh and Dharamjit Singh are concerned, both of them have been attributed one injury each. In these circumstances, the sentences in respect of offence under Section 325 read with Section 149 IPC imposed upon the said petitioners is reduced from rigorous imprisonment for 2 years to rigorous imprisonment for 1 ½ years, subject to the condition that they pay an amount of ₹ 30,000/- each, as compensation to the complainant. The sentences in respect of the remaining offences shall however remain unaltered.
8. The revision petition stands disposed of accordingly.

July 1, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No