

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRA-S-1896-SB-2006
Decided on : 20.09.2019**

Mehar Singh and another

... Appellant(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Argued by: Mr. A.S. Sekhon, Advocate
for the appellant(s).

Ms. Kanica Sachdeva, Asstt. AG, Punjab.

MANJARI NEHRU KAUL, J.

The appellants were convicted vide judgment and order dated 21st September, 2006, passed by the learned Sessions Judge, Sangrur (hereinafter referred to as the 'Ld. Trial Court'), for the offence under Section 344 of the Code of Criminal Procedure (in short 'Cr.P.C.') and sentenced to undergo rigorous imprisonment for three months each. Aggrieved, the present appeal was filed in the year 2006.

2. Learned counsel for the appellants has fairly stated that in view of the findings of fact recorded by the Ld. Trial Court, he would not press the instant appeal on merits and would restrict his prayer *qua* the quantum of sentence. He submits that the appellants have suffered the agony of trial for more than 13 years. The appellants are poor persons and during the pendency of the instant appeal, they have been fastened with many liabilities. He has further submitted that in the last 13 years, they have not

been involved in any criminal offences and have been leading the life of peaceful citizens. He has, therefore, prayed that a lenient view be taken and the sentence be thus reduced to the period already undergone.

3. As per the custody certificates of the appellants filed by learned State counsel, the appellants have undergone the following sentences:

- i) Appellant No.1 - Mehar Singh has undergone 07 days of actual imprisonment;
- ii) Appellant No.2 – Pritam Singh has undergone 07 days of actual imprisonment.

4. In view of the submissions made by the learned counsel for the appellants, I am of the considered view that ends of justice would be met if while maintaining the conviction of the appellants, their sentence is reduced to the period already undergone by them. Ordered accordingly.

5. With the aforesaid modifications in the quantum of sentence dated 21st September, 2006, the instant appeal stands disposed of.

(MANJARI NEHRU KAUL)
JUDGE

September 20, 2019

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No