

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

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CRR-2005 of 2019 (O&M)
Date of decision : 19.11.2019

Surmukh Singh @ Sarmukh Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. P.S. Punia, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the judgments and orders of the Courts below whereby he has been convicted and sentenced under Sections 323, 325, 341 and 506 of the Indian Penal Code, 1860. The trial Court has sentenced the petitioner to undergo rigorous imprisonment for a period of one year, which was reduced to six months by the Lower Appellate Court.

Learned counsel for the petitioner contends that the incident is the outcome of a sudden quarrel between the parties. He also contends that the petitioner is 65 years of age and has been in custody for over five months. He further contends that the petitioner would not challenge his conviction and would confine his prayer to the period already undergone by him.

Learned State counsel has filed custody certificate in Court, which indicates that the petitioner has undergone actual sentence of 04 months and 10 days and with remissions, total sentence of 05 months and 25 days as on 18.11.2019 out of sentence of 06 months.

Heard.

The incident is an outcome of a sudden quarrel between the parties. The petitioner is 65 years of age and has undergone sentence of 05 months and 25 days out of the sentence of 06 months. It would, thus, be in the interest of justice if the sentence of the petitioner is reduced to the period already undergone. While maintaining his conviction under Sections 323, 325, 341 and 506 IPC, the sentence of the petitioner is reduced to the period already undergone. The petitioner be released from custody in this case, if not required in any other case.

With the above modification, the revision petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

November 19, 2019

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

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