

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No.2420 of 2019 (O&M)

Date of Decision :30.09.2019

Chander Kant

....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE ANIL KSHETARPAL

Present : Mr.A.P.S.Sandhu, Advocate for
Mr. Gaurav Singla, Advocate for the petitioner

ANIL KSHETARPAL, J.(ORAL)

Present revision petition has been filed by the husband against judgment of conviction dated 20.11.2015 and order of sentence dated 21.11.2015 affirmed in appeal.

Petitioner has been sentenced to undergo simple imprisonment for a period of 3 months each for commission of offences under Sections 323, 506 IPC.

Learned counsel for the petitioner at the outset submits that marriage between petitioner and the first informant stands dissolved by a decree of divorce and the petitioner is a first time offender. He further submits that the petitioner is in custody for 21 days.

On the other hand, learned counsel for the State has submitted that custody of the petitioner is hardly 21 days. However, the decree of divorce between the first informant and the petitioner is not being controverted.

The present dispute has arisen out of a matrimonial discord between the petitioner and the first informant/victim. Once divorce has already been granted and keeping in view the fact that the petitioner had already undergone sentence for a period of 21 days and the nature of offence committed, the sentence is reduced to 21 days i.e the period already undergone by the petitioner. Petitioner be released forthwith, if not required in any other case.

Disposed of.

(ANIL KSHETARPAL)
JUDGE

30.09.2019

rekha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No