

In the High Court of Punjab and Haryana at Chandigarh

344

CRR-2578-2019 (O & M)

Date of Decision: December 10, 2019

GURMUKH SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Manbir Singh Batth, Advocate for the petitioner.

Mr. K.K. Bheniwala, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the judgments of the Courts below whereby he has been convicted under Sections 279, 338 and 337 IPC and sentenced to undergo imprisonment for a period of one year.

Learned counsel for the petitioner contends that he is not challenging the conviction of the petitioner and would confine his prayer in this petition to reduction in the quantum of sentence to the period already undergone. He further states that it is a case of only an injury and the injured has fully recovered from the injury. The petitioner has undergone sentence of 11 months and 24 days.

Learned State counsel has filed the custody certificate which is taken on record. It indicates that the petitioner has undergone total sentence of 11 months and 24 days which includes remission of 02 months and 25 days.

Heard.

The petitioner had been convicted under Sections 279, 338 and 337 IPC and sentenced to undergo imprisonment for a period of one year by the trial Court. It is a case of only an injury and no person has lost his life. The injured has fully recovered from the injury. The petitioner has undergone sentence of 11 months and 24 days out of the total sentence of one year.

It would, therefore, be in the interest of justice, if the sentence of the petitioner is reduced to the period already undergone by him.

Consequently, while maintaining the conviction, the sentence of the petitioner is reduced to the period already undergone by him and he be released forthwith, if not required in any other case.

With this modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

December 10, 2019

A.Kaundal

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