

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

388

CRR-2810-2019 (O&M)

DATE OF DECISION: 17.12.2019

KARAMVIR AND ANR

... Petitioner(s)

Versus

STATE OF HARYANA AND ANR.

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Arjun Sheoran, Advocate for the petitioner(s)

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners have challenged the judgments and orders of the Courts below whereby they have been convicted under Sections 323/34 and 325 of IPC and sentenced to undergo rigorous imprisonment for a period of 1 year each.

Learned counsel for the petitioners contends that the complainant is the real brother of the petitioners and with the intervention of the respectables, the matter has been compromised. He has referred to the copy of the affidavit of the complainant which is at Annexure P-4. He also contends that the petitioners are first offenders. He also states that injuries were caused on the non-vital parts of the body of the injured. Injuries were alleged to have been caused by the reverse side of the 'gandasi' and 'danda'. Injured have fully recovered from the injuries. The petitioners are not involved in any other case.

Learned counsel for the petitioners submits that he is not challenging the conviction of the petitioners and would confine his prayer to reduction in the sentence to the period already undergone by them.

Learned State counsel has filed the custody certificates of the petitioners which indicate that the petitioners have undergone an actual sentence of over 1 month and 22 days on 28.11.2019 meaning thereby they would have undergone sentence for a period of over 2 months by now.

Heard.

The petitioners are real brothers of the complainant. The injuries are on the non-vital parts of the body of the injured. Injured have fully recovered from the injuries and the matter has been compromised. They are first offenders and are not involved in any other case. The ends of justice would be met in the event of their sentence being reduced to the period already undergone by them.

Therefore, while maintaining the conviction, their sentence is reduced to the period already undergone by them. The petitioners be released forthwith from custody in this case if not required in any other case.

With this modification, the petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

17.12.2019.

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No