

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

CRR No. 5036 of 2018 (O&M)
Date of decision : January 23, 2019

Sarwan Kumar

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. JS Grewal, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG Punjab

Ajay Tewari, J (Oral)

This revision has been filed against the concurrent conviction of the petitioner under Section 411 of the IPC. The trial Court had sentenced the petitioner to undergo RI for two years and to pay a fine of ₹ 200/-, in default of payment of fine to undergo further RI for 15 days. However, in appeal the lower appellate Court reduced the sentence to one year.

Allegations against the petitioner were that he was involved in stealing of vehicles and one stolen car was found in his possession.

At the very outset, counsel for the petitioner states that he does not press this petition on merits but prays that a lenient view may be taken in respect of the sentence awarded to the petitioner, since he has been suffering the agony of these proceedings for the last more than 7 years and

has already learnt a lesson.

Custody certificate by way of affidavit of Gurpreet Singh Sodhi, Deputy Superintendent, Sub Jail, Fazilka has been filed, as per which the petitioner has undergone 3 months and 15 days of actual sentence, and no other case is pending against him.

Keeping in view the facts and circumstances of the case as well as the fact that the petitioner has already suffered the agony of these proceedings for more than 7 years and has also undergone sentence of more than 3 months, I deem it appropriate to reduce his sentence. Consequently, while dismissing this petition and maintaining the conviction of the petitioner, I reduce his sentence to four months from one year. The fine is increased to ₹ 10,000/-.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

January 23, 2019

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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No