

CRR-852 of 2019 (O&M)

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

CRR-852 of 2019 (O&M)
Date of Decision: 02.03.2020

Ajay

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Jitender Dhanda, Advocate, for the petitioner.
Mr. Amrik Narwal, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this revision, accused has laid challenge to judgment dated 26.02.2019 of the First Appellate Court, affirming judgment of conviction dated 16.02.2018 and order of sentence dated 21.02.2018 of the trial Court, holding him guilty and sentencing to undergo imprisonment for six months under Section 42 of the Prisoners Act, 1894.

Learned counsel for the petitioner states that he does not challenge conviction of the petitioner on merit and confines his prayer to the quantum of sentence only. This criminal trial is hanging on his head like damocle's sword for more than four years, which should be a sufficient mitigating circumstance to treat him leniently. The petitioner has suffered the ordeal for long period. Out of total sentence of six months, petitioner has undergone sentence for more than three months.

As per custody certificate dated 01.03.2020, petitioner has already undergone actual sentence for 03 months and 25 days. Therefore, in

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view of the arguments advanced by learned counsel for the petitioner, this Court is of the view that no useful purpose will be served by keeping the petitioner behind the bars any more. It is a fit case wherein sentence awarded to the petitioner can be reduced to the period already undergone.

Ordered accordingly.

Impugned judgment of conviction stands affirmed with above modification.

Disposed of.

March 02, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

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