

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRR-3779-2018 (O&M)
Date of Decision:-14.1.2020

Pal Singh and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. R.S. Bajaj, Advocate for the petitioners.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court challenging judgment dated 5.9.2018 passed by learned Sessions Judge, Jalandhar whereby an appeal filed by the petitioners against judgment and order dated 5.8.2017 passed by learned Judicial Magistrate 1st Class, Phillaur has been dismissed and conviction of the petitioners for offence punishable under Section 420 of Indian Penal Code has been upheld.
2. During the pendency of present revision petition it was represented that there are chances of an amicable settlement between the parties and consequently the prayer made by petitioners for grant of interim bail was accepted. On the next date, it was submitted on behalf of the learned counsel for the petitioners that the parties had amicably resolved their disputes. The

complainant Lamber Singh Nahal was impleaded as a party and notice was issued to him.

3. Today, Mr. Arun Kumar Sharma, Advocate has put in appearance on behalf of the complainant and has filed power of attorney, which is taken on record. He has also filed an affidavit of the complainant Sh. Lamber Singh Nahal, wherein it has specifically been deposed that the matter stands mutually compromised amongst the parties and that the complainant has no objection in case the petitioners are acquitted of the offences in question or are granted permission to compound the offences.
4. The learned State counsel has today filed custody certificates in respect of both the petitioners as per which petitioner No.1 Pal Singh has undergone total sentence of imprisonment of 8 months and 21 days including remission to the tune of 24 days and petitioner No.2 Baldev Singh has undergone total sentence of imprisonment of 8 months including remission to the tune of 24 days, out of the total imposed sentence of 2 years.
5. The learned counsel for the petitioners has today submitted that he restricts his submissions to the quantum of sentence only and he does not challenge the conviction.
6. I have heard the learned counsel for the parties and have also perused the impugned judgment.
7. This Court does not find any infirmity in the findings of the learned Trial Court and as affirmed by the learned Appellate Court as regards the conviction of the petitioners and the same are hereby affirmed. However, keeping in view the fact that parties are stated to have compromised the matter and infact the petitioners have already undergone more than 8 months

of their sentence, the petition is accepted to the extent that the substantive sentence of imprisonment as imposed upon the petitioners is reduced from two years to the one already undergone. The fine shall, however, remain unaltered.

8. The revision petition stands accepted to the limited extent as regards modification of sentence as indicated above.

14.1.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No