

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

CRR-2405-2019 (O&M)
Date of Decision:-8.1.2020

Baljinder Singh and others ... Petitioners
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harchand singh Batth, Advocate for the petitioners.

Mr. Saurav Khurana, Deputy Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court challenging judgment dated 31.8.2019 passed by learned Additional Sessions Judge, Sangrur whereby an appeal filed by the petitioners against judgment and order dated 3.2.2018 passed by learned Judicial Magistrate 1st Class, Malerkotla has been dismissed and conviction of the petitioners for offences punishable under Sections 117, 183, 342 and 353 of Indian Penal Code has been upheld, while the conviction in respect of offence under Section 184 IPC has been set aside.
2. Learned Judicial Magistrate 1st Class, Malerkotla, while convicting the petitioners for offences under Sections 117, 183, 342, 353 and 184 of Indian Penal Code sentenced the petitioners to undergo the following imprisonment:

Offence Under Section	Sentence awarded	Fine imposed
117 IPC	Rigorous imprisonment for one year	--
183 IPC	Rigorous imprisonment for 3 months	--

184 IPC	Rigorous imprisonment for 15 days	--
342 IPC	Rigorous imprisonment for 6 months	--
353 IPC	Rigorous imprisonment for one year	--

All the aforesaid sentences were, however, ordered to run concurrently.

3. At the time of preliminary hearing, i.e on 22.10.2019, learned counsel for the petitioners had confined his submission to the quantum of sentence and accordingly notice of motion had been issued to the limited extent so as to consider the propriety of the sentence.
4. I have heard the learned counsel for the petitioners and also the learned State counsel. Keeping in view the fact that the petitioners are not stated to be previous convicts and petitioner Nos.1, 2 and 4 namely Baljinder Singh, Bant Singh and Darshan Singh have undergone total sentence of imprisonment of 5 months and 23 days, respectively, and petitioner No.3 namely Balvir Singh has undergone total sentence of imprisonment of 5 months and 13 days out of the total imposed sentence of 1 year, this Court is of the opinion that there could be some room for reduction in sentence.
5. Consequently, the substantive sentence of imprisonment as imposed upon the petitioners is reduced from 1 year to the one already undergone.
6. The revision petition stands accepted to the limited extent as regards modification of sentence as indicated above.

8.1.2020

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

(Gurvinder Singh Gill)
Judge