

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

CRR-2653-2019 (O&M)
Date of Decision:-24.1.2020

Gurpreet Singh Grewal and another ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Veerpal Kaur, 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 5.9.2019 passed by learned Additional Sessions Judge, Bathinda whereby an appeal filed by the petitioners against judgment and order dated 18.8.2018 passed by learned Judicial Magistrate 1st Class, Bathinda has been dismissed and conviction of the petitioners has been upheld.
2. Learned Judicial Magistrate 1st Class, Bathinda, while convicting the petitioners for offences under Section 411 of Indian Penal Code sentenced the petitioners to undergo the following imprisonment:

Name of Convicts	Offence Under Section	Sentence awarded	Fine imposed
Lakhvir Singh @ Lakha	411 IPC	Rigorous imprisonment for one year	₹1,000/- in default SI for 30 days
Gurpreet Singh	411 IPC	Rigorous imprisonment for one year	₹1,000/- in default SI for 30 days

3. Notice of motion in this case had already been issued on 15.11.2019.
4. I have heard the learned counsel for the petitioners and also the learned State counsel and have also perused the impugned judgment.
5. A perusal of the impugned judgments would show that the Trial Court as well as the lower Appellate Court have duly appreciated the evidence while reaching at a finding as regards the guilt of petitioners. There is no misreading of evidence in respect of any of the findings.
6. The learned counsel for the petitioners could not point out any procedural flaw so as to be able to cause any dent in the impugned judgments. As such, this Court does not find any infirmity in the findings of conviction as recorded by the Trial Court and as affirmed by the Court of learned Additional Sessions Judge, Bathinda and the same are hereby affirmed.
7. However, keeping in view the fact that the petitioners have undergone a substantial period of imprisonment out of the imposed sentence, this Court is of the opinion that there could be some room for reduction in sentence.
8. Petitioner No.1 Gurpreet Singh Grewal is stated to be aged 33 years and petitioner No.2 Lakhvir Singh @ Lakha is stated to be aged 30 years. Although one case is stated to be pending against petitioner No.1 Gurpreet

Singh Grewal, but he has not been convicted in any case. Petitioner No.2 Lakhvir Singh @ Lakha is not stated to be a previous convict.

9. Consequently, the substantive sentence of imprisonment as imposed upon the petitioners is reduced from 1 year to 8 months. The fine shall, however, remain unaltered.
10. The revision petition stands accepted to the limited extent as regards modification of sentence as indicated above.

24.1.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No