

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

**CRA-S-2834 of 2019 (O&M)
DATE OF DECISION :- January 20, 2020**

Satnam Singh

...Appellant

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. P.B.S. Goraya, Advocate for the appellant.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

Accused Satnam Singh faced trial by the Court of Additional Sessions Judge, Amritsar for offences under Sections 379-B/411 of the Indian Penal Code.

Briefly stated that facts of the case as per prosecution story are that on 11.4.2018 at about 10.00/11.00 A.M. in the area of Village Jagdev Kalan, he committed snatching of gold ear rings of complainant Harjit Kaur and on 16.4.2018 in the area of village Jagdev Kalan he dishonestly retained the stolen property i.e. gold ear rings of the complainant, known or have reason to believe as stolen property.

On conclusion of the trial he was acquitted of the charge for offence under Section 379(B) IPC whereas convicted for offence under Section 411 IPC and sentenced to undergo rigorous imprisonment for 1 year and to pay a fine of Rs.1,000/- and in default of payment of fine to undergo further rigorous imprisonment for one month vide judgment and order dated

6.9.2019.He is in appeal before this Court.

I have heard learned counsel for the appellant and learned State counsel besides going through the record.

As far as conviction of the accused for offence under Section 411 IPC is concerned, I find that the prosecution has led sufficient oral as well as documentary evidence to prove that offence and no interference with such conclusion drawn by the trial Court is called for. However, as far as the sentence part is concerned learned counsel for the appellant prays that a lenient view in the matter may be taken as the appellant being a poor person is aged about 23 years only and is the only bread winner of the family. There is nothing on record to show that he has got past criminal record.

Therefore, the impugned judgment is upheld as regards conviction part, however, as far as sentence part is concerned, the same is modified and the appellant is sentenced to imprisonment already undergone by him in this case which is to the extent of 2 months and 11 days.

As such the appeal is accepted partly inasmuch as it is dismissed as far as conviction part but allowed with regard to the sentence part.

(H.S. MADAAN)
JUDGE

January 20, 2020
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No