

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-3222-2019 (O&M)
Date of Decision : 14.01.2020

ChhotuPetitioner

VERSUS

State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. Sudhanshu Makkar, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Haryana.

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MANJARI NEHRU KAUL, J.

The instant revision had been preferred against the impugned judgment of conviction dated 06.11.2019 passed by the learned Additional Sessions Judge, Bhiwani, vide which the petitioner was convicted under Sections 354A and 354D IPC and sentenced as under:-

<i>Under Section</i>	<i>Sentence</i>
354A IPC	Simple imprisonment for one year and fine ₹ 500/-.
354D IPC	Simple imprisonment for one year and fine ₹ 500/-.

Both the sentences were ordered to run concurrently.

Learned counsel for the petitioner at the very outset has not challenged the order of conviction but restricts his prayer that the sentence of the petitioner be reduced to the period already undergone by him as he is a first time offender and is not involved in any other criminal case. Hence, a lenient view be taken.

As per the Custody Certificate filed by the learned State Counsel, the petitioner has undergone a total sentence of 05 months and 12 days upto 13.01.2020 out of the total sentence of one year awarded by the Courts below. He is not shown to be involved in any other criminal case.

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

Keeping in view the facts and circumstances and the submissions made by the learned counsel for the petitioner, I am of the considered view that ends of justice shall be adequately met if while maintaining the conviction of the petitioner his substantive sentence of one year is reduced to the sentence already undergone by him in this case.

Resultantly, the conviction of the petitioner under Sections 354A and 354D IPC is upheld and the sentence is reduced to the period already undergone by him. There shall be no change in the sentence of fine. However, the petitioner is directed to compensate the victim by paying a sum of Rs.15,000/- within one month. It is made clear that in case of non-payment of compensation to the victim, benefit of reduction in sentence shall not accrue to the petitioner.

With the aforesaid modification in the order of sentence dated 06.11.2019 passed by the Additional Sessions Judge, Bhiwani, the instant revision is disposed of.

(MANJARI NEHRU KAUL)
JUDGE

14.01.2020
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Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No