

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

CRR-1193-2021 (O&M)
Date of Decision:-9.12.2021

Gian Singh and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek Goyal, Advocate for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court challenging judgment dated 27.1.2020 passed by learned Additional Sessions Judge, Kurukshetra, whereby an appeal filed by the petitioners against judgment and order of sentence dated 16.12.2015 passed by learned Judicial Magistrate 1st Class, Kurukshetra, has been dismissed and conviction of the petitioners for offence punishable under Section 420 read with Section 120-B of Indian Penal Code has been upheld.
2. Today, at the very outset, learned counsel for the petitioners has submitted that he does not challenge the findings as regards conviction and restricts his submission to reduction of sentence only.

3. In view of the aforesaid submission and also upon finding that the findings as regards the conviction recorded by the Courts below cannot be said to be perverse in any manner and have been recorded after due appreciation of the evidence on record, the conviction of the petitioners for offence under Section 420 read with Section 120-B is upheld. However, as far as the sentence imposed upon the petitioners is concerned, this Court finds that there is some room for reduction of sentence. Since petitioner No.1-Gian Singh is stated to have undergone actual sentence of 2 months and 21 days and petitioner No.2-Jeet Singh is stated to have undergone actual sentence of 1 month and 19 days out of the total imposed sentence of 1 year, the sentence as imposed upon the petitioners is reduced to the one already undergone. The fine shall, however, remain unaltered. However, the aforesaid reduction shall be subject to the condition that each of the petitioners pays an amount of ₹50,000/- each as additional compensation to the complainant which shall be deposited in the Trial Court within a period of 1 month from today with a notice of such deposit to the complainant. Upon such amount being deposited, the same shall be disbursed to the complainant subject to proper identification. The Trial Court shall do the needful for informing complainant.
4. The revision petition stands disposed off to the limited extent as indicated above as regards the quantum of sentence.

9.12.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No