

CRR-931 of 2019 (O&M)

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

CRR-931 of 2019 (O&M)
Reserved on: 19.12.2022
Date of Pronouncement: 22.12.2022

Jaggi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Argued by: -Mr. S.K. Rana, Advocate,
for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

NAMIT KUMAR, J.

This revision petition has been filed against the judgment dated 15.02.2019 passed by the Court of learned Additional Sessions Judge, Faridabad, upholding the judgment of conviction dated 09.09.2016 and order of sentence dated 12.09.2016 passed by the Court of learned Judicial Magistrate Ist Class, Faridabad, whereby petitioner has been held guilty and sentenced as under: -

Sr. No.	Under Section	Simple imprisonment	Fine	In default to undergo simple imprisonment
1.	120-B IPC	One year	Rs.500/-	7 days
2.	420/120-B IPC	One year	Rs.1000/-	15 days
3.	468/120-B IPC	One year	Rs.1000/-	15 days
4.	471/120-B IPC	One year	Rs.1000/-	15 days

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Learned counsel for the petitioner contends that the allegations against the petitioner are that he had submitted fabricated insurance cover note to the Court while satisfying the challan under the Motor Vehicles Act. He also contends that the petitioner had used the services of an agent who had submitted the documents. The petitioner is not involved in any other case and he is the sole bread winner of the family. Learned counsel further contends that he is confining his prayer in this petition to the reduction of the quantum of sentence as the petitioner has already undergone imprisonment for almost seven months out of the total sentence of one year. No useful purpose would be served by sending the petitioner behind the bars anymore since his sentence has been suspended by this Court vide order dated 26.08.2019. Under these circumstances, the sentence imposed upon the petitioner may be reduced to the one already undergone by him.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner, would submit that the sentence awarded to the petitioner is in proportion to the offence committed by him. The petitioner does not deserve any leniency.

I have heard the learned counsel for the parties and perused the record.

As per custody certificate dated 16.12.2022, petitioner has already undergone actual sentence for 06 months and 14 days. Therefore, in view of the submissions advanced by the learned counsel for the petitioner, this Court is of the view that no useful purpose will be served by sending the petitioner, whose sentence has been suspended by this Court vide order dated 26.08.2019, behind the bars any more. It is a fit

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case wherein sentence awarded to the petitioner can be reduced to the period already undergone. Ordered accordingly.

Impugned judgment of conviction stands affirmed with above modification. The sentence of fine however, shall stand maintained. The petitioner will have to deposit the fine, if not already deposited.

Disposed of. All pending applications, if any, stand disposed off.

22.12.2022
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No