

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

CRR No.2338 of 2008

Date of Decision: May 01, 2023

Jagsir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioner.
Mr. G.S. Shergill, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

Despite intimation to counsel for the petitioner, as reported by the Registry, there is no representation on behalf of the petitioner.

Custody certificate has been placed on record by learned State Counsel.

Paper book perused.

Matter considered.

It is revealed that in a case arising out of FIR No.58 dated 04.08.2001 registered at Police Station Dialpura, petitioner – Jagsir Singh along with one Paramjit Kaur were convicted by the trial Court under Section 325/34 IPC and were sentenced to undergo rigorous imprisonment for a period of six months and to pay a fine of ₹300/- each with default sentence of 15 days. Appeal was preferred by both of them. Though the appeal qua co-accused Paramjit Kaur was accepted and she was acquitted of the charges, but the appeal of the petitioner – Jagsir Singh was dismissed vide judgment dated 23.10.2008 of learned Additional Sessions Judge, Bathinda.

Afore-said judgments of conviction and order of sentence are

the subject-matter of this revision.

I have carefully gone through the impugned judgments and it is revealed that conviction has been recorded on proper appreciation of evidence on record. There is no reason to disturb the well-reasoned finding of conviction recorded by the trial Court and endorsed by the Appellate Court. As such, revision against conviction is dismissed. However, as far as sentence is concerned, it is revealed that occurrence had taken place way back in July, 2001, i.e. almost 22 years back.

As per the custody certificate placed on record by learned State Counsel, petitioner has undergone actual sentence of one month and six days out of six months' sentence.

Having regard to the long lapse of time and the nature of offence, I am of the view that it will be in the fitness of things to sentence the petitioner for the period already undergone by him, instead of sending him behind bars after such a long time.

As such, this revision is hereby disposed of with modification of the judgments of the Courts below qua the sentence to the effect that the petitioner has to undergo imprisonment for the period already undergone by him.

May 01, 2023

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(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking:	Yes/No
Whether reportable:	Yes/No