

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.220

CRR-1024-2021 (O&M)

Date of decision : 17.02.2023

Taspreet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. P.S. Gill, Advocate, for the petitioner.

Mr. Pankaj Khullar, AAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner was tried for forging an educational certificate and verification letter for the purpose of securing a job in the Punjab Police as a Constable. On the detection of the forgery, he was dismissed from service and was simultaneously tried for cheating and forgery. Vide judgment dated 06.07.2017, he was convicted under Sections 420, 465, 468 & 471 IPC and was sentenced to maximum imprisonment RI for 03 years apart from payment of fine. Appeal filed by the petitioner was dismissed vide judgment dated 15.07.2021 and thus, the present revision petition has been filed.

On merits, learned counsel for the petitioner has not made any submission. His only argument is that keeping in view the fact that the petitioner is a young person aged about 26 years as well as the fact that he has undergone criminal prosecution for a long period (FIR was registered on 18.02.2012) his sentence deserves to be reduced to the period already undergone.

Custody certificate dated 15.02.2023 checked by Sh. K.S. Singh, PPS, Deputy Superintendent, Central Jail, Ludhiana has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 01 year, 10 months and 07 days. Inclusive of remission, he has undergone custody of 02 years, 02 months and 17 days. There is no other criminal case pending against him.

Learned State counsel submits that a serious offence has been committed and thus, the petitioner does not deserve any leniency.

One of the principles of sentencing is reformatory. The petitioner has undergone a long period of criminal prosecution i.e. about 11 years and has undergone sentence of 02 years, 02 months and 17 days out of which the actual period undergone is 01 year, 10 months and 07 days. There is no other criminal case pending against the petitioner and being a young boy, he deserves the chance to reform himself and settle in life.

For the reasons aforementioned, the revision petition is allowed. Conviction is maintained, but the sentence is reduced to the period already undergone. The petitioner be released from custody forthwith.

(SUDHIR MITTAL)
JUDGE

17.02.2023
Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes

No