



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

**CRR-323-2020 (O&M)
DECIDED ON: 03.09.2024**

PAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. K.S. Sidhu, Senior Advocate with
Mr. Kartik Bansal, Advocate
for the petitioner.

Mr. Sukhsandesh Singh Chahal, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The present criminal revision petition has been preferred against the judgment dated 22.01.2020 passed by Addl. Sessions Judge, Patiala whereby, the judgment dated 17.05.2016 passed by Judicial Magistrate Ist Class, Nabha has been set aside and the petitioner has been held guilty for offence under Section 25 of Arms Act and thereafter convicted with rigorous imprisonment for one year and to pay a fine of Rs.2000/- also in default of payment of fine, further undergo simple imprisonment for one month.

2. At the very outset, learned Senior counsel for the petitioner contends that he does not want to challenge the conviction of the petitioner on merits. However, he submits that in view of the circumstances of this case, the sentence awarded by the Appellant Court is on higher side.

3. Here it would be pertinent to mention that the petitioner did not challenge his conviction on merits and only confined his relief qua the quantum of sentence. This Court has also scrutinized the impugned judgment as well as the relevant documents/evidence and is of the considered view that there is no scope of interference in the impugned judgment as far as the conviction of the petitioner is concerned. As such, the conviction of the petitioner is upheld but the fine amount has been enhanced from Rs.2000/- to 10,000/-.

4. As far as quantum of sentence is concerned, there are mitigating circumstances to take a lenient view in the matter of sentence awarded by the Appellant Court. Apart from the fact that the petitioner has already suffered the agony of a protracted trial for a period almost five years, he is the poor person and the sole bread winner for his family. The petitioner has already undergone the actual sentence for a period of 01 month and 30 days as of now, out of total sentence of one year. Thus, this court is of the considered view that a chance be given to the petitioner to reform & improve him; to become a good citizen; and to lead a peaceful & harmonious life.

5. Taking into consideration the above narrated discussion as well as the fact that the petitioner has not challenged his conviction on merits, while affirming his conviction, the order of sentence is modified to the extent to the period already undergone by him with enhancement of fine from Rs.2000/- to Rs.10,000/-.

6. With the aforesaid modification in the quantum of sentence as well as in the fine amount, the present criminal revision petition stands disposed off.

7. The petitioner is ordered to be released forthwith in case he is not required in any other case.
8. Pending criminal misc. application, if any shall also disposed off.

03.09.2024

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No