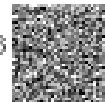


2024:PHHC:170336



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

**CRR-413-2019
DECIDED ON: 14.11.2024**

RAGHUBIR SINGH

.....PETITIONER

VERSUS

THE KHICHIAN CO.OP HOUSE BUILDING LTD AND ANR.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Gagandeep Sandhu, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1 The present criminal revision petition has been preferred against the judgment dated 08.01.2019 passed by Addl. Sessions Judge, Hoshiarpur, whereby, the judgment of conviction and order of sentence dated 26.10.2016 passed by Sub Divisional Judicial Magistrate, Mukerian has been affirmed.

2. At the very outset, learned 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 the case, the sentence awarded by the trial 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 judgments

as well as the relevant documents/evidence and is of the considered view that there is no scope for any interference in impugned judgments as far as the conviction of the petitioner is concerned. As such, the conviction of the petitioner is upheld.

4. As far as the quantum of sentence is concerned, there are mitigating circumstances to take a lenient view in the matter of sentence awarded by the trial court. Apart from the fact that the petitioner has already faced the agony of protracted trial for a period of almost ten years, he is sole bread winner for his family. Thus, this court is of the considered view that a chance be given to the petitioner to reform & improve him; to become a model 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 no change to the fine clause.

6. With the aforesaid modification in the quantum of sentence, 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.

14.11.2024

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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No