



268 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-432-2024 (O&M)
DECIDED ON: 11.07.2024

JASPREET SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. I.S. Mann, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1 The present criminal revision petition has been preferred against the judgment dated 12.02.2024 passed by Sessions Judge, Fazilka whereby, the judgment dated 13.12.2019 passed by Judicial Magistrate Ist Class, Jalalabad has been affirmed and the petitioner has been convicted and sentenced to undergo RI for a period of six months for commission of an offence under Section 279 IPC; to undergo RI for a period of one year for commission of an offence under Section 304-A IPC; to undergo RI for a period of three months for commission of an offence under Section 337 IPC and to undergo RI for a period of six months for commission of an offence under Section 338 IPC.

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 her relief qua 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 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 almost eight years, he is poor person having child of tender age and is a first time offender. The petitioner has already undergone the actual sentence for a period of 4 months and 29 days as of now, out of total substantive sentence of one year. Thus, this court is of the considered view that a chance be given to the petitioner to reform & improve himself; to become a good citizen; and to lead a peaceful & harmonious life. Though, it is evident that the petitioner is not involved in any other case of any nature whatsoever, which is sufficient for this Court to infer that he is person of clean antecedents.

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 in 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.

(SANDEEP MOUDGIL)
JUDGE

11.07.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No