

THE STATE OF PUNJAB VS. SANTROOP SINGH AND ORS.

Present: Mr. Maninder Singh, Sr. DAG, Punjab.

Mr. Narinder Singh, Advocate
for the convicts-respondents No. 1 and 3.

None for respondent No. 5.

Order on quantum of Sentence:-

1. In compliance of the verdict passed by this Court on 26.07.2024, accused-convict Gurdial Singh-respondent No. 3 and accused-convict Karamjit Singh-respondents No.5 are produced today in custody of Inspector Karamjit Singh, SHO Police Station, Dharamgarh. for theirs being heard on the quantum of sentence.

2. However, accused-convict Santroop Singh is not produced today, as the jurisdictional SHO Inspector Karamjit Singh submits, that he is unable to arrest the said accused-convict for thereafter his becoming produced before this Court for being heard on quantum of sentence.

3. Be that as it may, accused-convict Santroop Singh be ensured to be produced before this Court by the jurisdictional SHO concerned, on the subsequent date of hearing, so that he may be then heard on the quantum of sentence.

4. Co-convict Gurdial Singh, as revealed by his Aadhar Card, is as of today, aged about 85 years, and, co-convict Karamjit Singh, as revealed by his Aadhar Card, is as of today, aged about 55 years.

5. In the face of convict Gurdial Singh undergoing the prolonged trauma of trial in respect of the appeal FIR, besides when the verdict of acquittal made upon him was made in the year 2003, and, has

resulted in the said verdict of acquittal becoming reversed in the year 2024. Consequently, insofar as convict Gurdial Singh is concerned, this Court is of the view that the substantive sentence of simple imprisonment lasting upto a period of six months be imposed upon him for the commission of an offence punishable under Section 307 read with Section 34 of the IPC. He is also sentenced to pay a fine of Rs. 25,000/-. In default of payment of fine, he is sentenced to further undergo simple imprisonment for a period of one month.

6. Since convict-accused Karamjit Singh is aged about 55 years, therefore, he is not at par with convict-accused Gurdial Singh. Resultantly, he is sentenced to the substantive sentence of simple imprisonment lasting upto a period of nine months for the commission of an offence punishable under Section 307 read with Section 34 of the IPC. He is also sentenced to pay a fine of Rs. 25,000/-. In default of payment of fine, he is sentenced to further undergo simple imprisonment for a period of one month.

7. On realization of the fine amount(s) (supra), the same shall be realized as victim compensation to the victim.

8. The periods spent in prison by the convicts, thus during investigation or trial, are, in terms of Section 428 of Cr.P.C., thus, ordered to be set off from the above imposed substantive sentence(s) of imprisonment, upon, the convicts.

9. The Registry of this Court, is accordingly, directed to prepare committal warrants, for therebys, the present accused/convicts being lodged in Central Jail, Sangrur.

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10. Moreover, a copy of the verdict passed by this Court on 26.07.2024 along with a copy of the order of sentence passed today by this Court, be forthwith, free of cost, be supplied, to the present accused/convicts i.e. respondents No. 3 and 5 herein.

11. For the production of accused-convict Santroop Singh, in Court, list on 28.8.2024.

12. However, it is clarified, that in case the said accused-convict is arrested, before the date fixed, he be forthwith produced before this Court, by the jurisdictional SHO concerned, for his being heard on quantum of sentence.

(SURESHWAR THAKUR)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

August 06, 2024
Gurpreet