

2024:PHHC:157192



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

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**CRR-1978-2024 (O&M)**  
**Date of decision: 27.11.2024**

# Sukhpiar Singh

**...Petitioner**

## Versus

## State of Punjab

## ...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Aajeshwar Singh Grewal, Advocate  
for the petitioner.

Mr. A. S. Samra, AAG, Punjab.

**MANISHA BATRA, J. (Oral)**

1. The present revision petition has been filed against the judgment of conviction and order on quantum of sentence, both dated 11.12.2017, passed by the Court of learned Judicial Magistrate First Class, Bathinda in criminal case arising out of the FIR No. 59 dated 23.06.2012, registered under Sections 304-A, 279 and 427 of IPC at Police Station Nathana, Bathinda, whereby the petitioner was held guilty for commission of offences punishable under Sections 304-A and 279 of IPC and was sentenced to undergo rigorous imprisonment for maximum 02 years with default clause of fine; as well as against the judgment dated 09.09.2024, whereby the appeal of the petitioner had been dismissed by the Court of learned Additional Sessions Judge, Bathinda.

2. Today, learned counsel for the petitioner has made a statement so as not to press the present revision against the judgment of conviction, passed by the learned trial Court, as well as the judgment passed by the learned appellate Court. Learned counsel for the petitioner confines his prayer against the order of sentence only. It is further submitted that petitioner is not the previous convict nor any other

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similar case is pending against him and so looking into these circumstances, the sentence of the petitioner may be reduced to the period already undergone by him.

3. Learned State Counsel has no serious objection to the aforesaid prayer. He has filed custody certificate, as per which, the petitioner has already undergone actual sentence of 02 months and 06 days out of total sentence of 02 years as awarded by the learned trial Court and upheld by the learned appellate Court and he is not involved in any other similar case.

4. After hearing the counsel for the parties, I uphold the judgments of conviction passed by the Courts below as the same are based on appreciation of prosecution evidence, proving guilt of the petitioner, however, considering the fact that the petitioner has faced the agony of protracted trial and he has already undergone actual sentence of 02 months and 06 days and is not involved in any other similar case, which shows that he has improved his character and has joined the mainstream of the society, the order on quantum of sentence dated 11.12.2017 is modified to the extent that the same is reduced to the period already undergone by him. However, the fine imposed upon the petitioner is upheld.

5. The petitioner is directed to be released from custody forthwith, if not required in any other case, on depositing fine as imposed by the learned trial Court. His personal/surety bonds be discharged accordingly.

6. Let a copy of this order be sent forthwith to Superintendent, Central Jail, Bathinda as well as to learned trial Court for intimation and necessary compliance.

27.11.2024

*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*