



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

254

CRR-2331-2023 (O&M)
Date of decision: 14.10.2024

Amarjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, 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 17.10.2017, passed by the Court of learned Judicial Magistrate First Class, Ludhiana in criminal case arising out of the FIR No. 101 dated 16.05.2012, registered under Sections 420, 199 and 200 of IPC at Police Station Division No. 5, Ludhiana, whereby the petitioner was held guilty for commission of offences punishable under Sections 199 and 200 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 25.08.2023, whereby the appeal of the petitioner had been dismissed by the Court of learned Additional Sessions Judge, Ludhiana.
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 trial Court, as well as the judgment passed by the appellate Court. Learned counsel confines his prayer against the order of sentence only. It is further submitted that petitioner is not the previous convict nor any other case is

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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. She has filed custody certificate, as per which, the petitioner has already undergone actual sentence of 01 year, 01 month and 23 days out of total sentence of 02 years as awarded by the trial Court and upheld by the appellate Court and he is not involved in any other 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 01 year, 01 month and 23 days and is not involved in any other case, which shows that he has improved his character and has joined the mainstream of the society, the order on quantum of sentence dated 17.10.2017 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 on depositing fine as imposed by the trial Court. His personal/surety bonds be discharged accordingly.

6. Since the main petition stands disposed of, pending application, if any, shall also be treated as disposed of.

14.10.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No