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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Reserved on 6th of November, 2023
Pronounced on 5th of January, 2024

CRR No.2370 of 2023 (O&M)

Jasveer Singh @ Jassi

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR JUSTICE PANKAJ JAIN

Present : Mr. M.S. Uppal, Advocate for the petitioner.

Mr. Kunal Vinayak, Asstt. Advocate General, Punjab.

PANKAJ JAIN, J.

Petitioner is a convict for offence punishable under Section 474 IPC.

2. Petitioner was booked in FIR No.08, dated 3rd of February, 2013 registered for the offences punishable under Sections 420, 467, 468, 471, 380, 120-B of the Indian Penal Code and Section 66 of the Information Technology Act, 2000, at Police Station City Mansa. The complainant alleges that amount was being withdrawn from his bank account by an unknown person on account of *e-shopping*. Petitioner along with one Gursewak Singh were challaned. They were charged for offences punishable under Sections 420, 465, 467, 468, 471 read

with Section 120-B IPC and Section 66 of the IT Act, 2000.

3. Trial Court after analyzing the whole evidence that has come on record held the petitioner guilty of offence punishable under Section 474 IPC and sentenced him as under :

Offence	Imprisonment	Fine	In default of payment of fine to undergo further imprisonment
474 IPC	2 years RI	Rs.1000/-	10 days S.I.

4. The conviction stands maintained in appeal preferred by the petitioner.

5. Contention raised by counsel for the petitioner is that the petitioner was tried for major offences and has been convicted under Section 474 IPC and the sentence awarded to the petitioner is on higher side. Petitioner is a young person. He is the first time offender. He is only breadwinner of his family comprising his old parents and thus deserves a lenient view.

6. Having heard counsel for the petitioner in the considered opinion of this Court the Charge for offence punishable under Section 474 IPC stands proved against the petitioner and there is no glaring error of law that can call for interference in the findings recorded by the Courts below.

7. Keeping in view the provisions contained under Section 222 of Criminal Procedure Code, it cannot be held that the petitioner

was prejudiced for having tried for offence punishable under Sections 420, 465, 467, 468, 471 read with Section 120-B IPC and Section 66 of the IT Act, and convicted for offence punishable under Section 474 IPC.

8. However, keeping in view the age of the petitioner and the fact that he is first time offender, the instant revision is partly accepted to the extent that the petitioner is extended benefit of probation under Section 4 of the Probation of Offenders Act, 1958 on his furnishing bond in a sum of Rs.25000/- with one surety in the like amount to the satisfaction of the Trial Court within a period of 1 year. He shall continue to maintain good behaviour and keep peace for the said period. In case there is breach of any condition of the bond he shall serve the remaining sentence.

9. With the aforesaid modification, the present revision petition is disposed off.

January 05, 2024
Dpr

(Pankaj Jain)
Judge

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