



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

112

CRR-1931-2024 (O&M)
Date of decision: 18.10.2024

Jarnail Singh ...Petitioner

Versus

State of Punjab ...Respondent

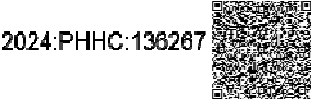
CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Jagmeet Singh Moudgill, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Sr. 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 04.07.2018, passed by the Court of learned Judicial Magistrate First Class, Patiala in criminal case arising out of the FIR No. 53 dated 11.04.2012, registered under Section 25 of the Arms Act, 1959 at Police Station Urban Estate, Patiala, whereby the petitioner was held guilty for commission of offence punishable under Section 25(1b)(a) of the Arms Act, 1959 and was sentenced to undergo rigorous imprisonment for 01 year 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, Patiala.
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 out of the total sentence of 01 year, as awarded by the trial Court



and affirmed by the lower appellate Court, the petitioner has already undergone actual sentence of more than 07 months and although, he is shown to be involved in some other cases but in those cases, he was nominated as accused on the basis of production warrant, while in custody. Hence, it is argued that 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 07 months and 01 day out of total sentence of 01 year as awarded by the trial Court and upheld by the lower appellate Court.

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 07 months and 01 day out of total sentence of 01 year, the order on quantum of sentence dated 04.07.2018 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 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.

18.10.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No