



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

119

CRR-2040-2024 (O&M)  
Date of decision: 21.10.2024

Jaswant Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Edward George Masih, Advocate  
for the petitioner. (Through VC)

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. CRM-41543-2024

Prayer in this application is for condoning the delay of 50 days in  
filing the present revision petition.

For the reasons stated in the application, the same is allowed and  
the delay of 50 days in filing the present revision petition is hereby condoned.

2. CRR-2040-2024 (O&M)

The present revision petition has been filed against the judgment of  
conviction and order on quantum of sentence, both dated 16.11.2019, passed by  
the Court of learned Judicial Magistrate First Class, Pathankot in criminal case  
No. 156/2017, arising out of the FIR No. 56 dated 08.09.2014, registered under  
Sections 279, 337, 338 and 427 of IPC at Police Station Taragarh, District  
Pathankot, whereby the petitioner was held guilty for commission of  
aforementioned offences and was sentenced to undergo rigorous imprisonment  
for maximum 01 year with default clause of fine; as well as against the judgment

2024:PHHC:135978

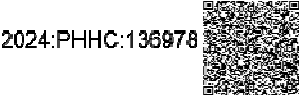


dated 27.05.2024, whereby the appeal of the petitioner had been dismissed by the Court of learned Additional Sessions Judge, Pathankot.

3. 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 a previous convict nor any other 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.

4. Learned State Counsel, who has advance notice of the petition, has no serious objection to the aforesaid prayer. She has filed custody certificate, as per which, the petitioner has already undergone actual sentence of 04 months and 23 days out of total sentence of 01 year as awarded by the trial Court and upheld by the appellate Court and he is not involved in any other case.

5. 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 04 months 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 16.11.2019 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.



6.

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.
7.

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

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|----------------------------------|------------------------|
| <b>21.10.2024</b>                | <b>(MANISHA BATRA)</b> |
| <i>Waseem Ansari</i>             | <b>JUDGE</b>           |
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i>          |
| <i>Whether reportable</i>        | <i>Yes/No</i>          |