

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

201

CRA-S-509-SB-2018 (O&M)
Date of decision: 04.07.2025

MONU

...Appellant

VERSUS

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ravinder Bangar, Advocate
for the appellant.

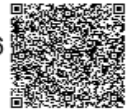
Mr. Jastej Singh, Addl. AG, Punjab.

SANDEEP MOUDGIL, J.(ORAL)

1. The instant appeal has been preferred by the appellant challenging Impugned Judgment of Conviction and Order of Quantum of Sentence dated 21.12.2017 vide which the appellant was sentenced to undergo Rigorous Imprisonment for a period of 10 years and with fine for the alleged recovery of stolen gold articles. The appellant was sentenced as under:-

Offence	Conviction	Fine	In default
Section 328/34 of IPC	RI for 05 years each	Rs.5,000/-	To further undergo RI for 01 year
379-B/34 of IPC	RI for 10 years	Rs.10,000/-	Further undergo RI for 02 years
120-B of IPC	RI for 05 years	Rs.5,000/-	Further undergo RI for 01 year
411 of IPC	RI for 02 years	Rs.2,000/-	Further undergo RI for 06 months

2. At the very outset, learned counsel for the appellant contends that he does not want to challenge the conviction of the appellant on merits.



However, he submits that in view of the circumstances of the case, the sentence awarded by the trial Court is on higher side.

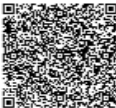
3. Here it would be pertinent to mention that the appellant did not challenge his conviction on merits and only confined his relief qua quantum of sentence. This Court has also scrutinized the impugned judgment as well as the relevant documents/evidence and is of the considered view that there is no scope for any interference in impugned judgment as far as the conviction of the appellant is concerned. As such, the conviction of the appellant is upheld.

4. As far as quantum of sentence is concerned, there are mitigating circumstances to take a lenient view in the matter of sentence awarded by the trial court. The appellant has undergone the actual sentence of 06 years, 08 months and 07 days out of total substantive sentence of 10 years as of now, as per the custody certificate of the appellant filed by learned State counsel in Court today. Thus, this court is of the considered view that a chance be given to the appellant to reform & improve himself; to become a good citizen; and to lead a peaceful & harmonious life.

5. Taking into consideration the above narrated discussion as well as the fact that the appellant has not challenged his conviction on merits, while affirming his conviction, the order of sentence is modified to the extent to the period already undergone by him with no change in fine clause.

6. With the aforesaid modification in the quantum of sentence, the present appeal stands dismissed.

7. The appellant is ordered to be released forthwith in case he is not required in any other case.



8. The pending criminal misc. applications stands disposed off, as having been rendered infructuous.

(SANDEEP MOUDGIL)
JUDGE

04.07.2025

Nisha Yadav

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No