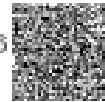


2025:PHHC:037726



286

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRR-442-2025 (O&M)
DECIDED ON: 19.03.2025**

SANJEEV KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG Punjab

SANDEEP MOUDGIL, J (ORAL)

The instant revision petition has been preferred by accused Sanjeev Kumar challenging judgment of conviction and order of sentence dated 28.10.2017 passed by learned Judicial Magistrate 1st Class, Amritsar, whereby the petitioner Sanjeev Kumar has been sentenced to undergo RI for a period of 6 months under Section 279 IPC, RI for a period of one year under Section 304-A of IPC, RI for a period of 6 months under Section 337 IPC, RI for a period of six months under Section 338 of IPC, RI for a period of six months under Section 427 of IPC and against the judgment dated 09.01.2025 passed by Additional Sessions Judge, Amritsar vide which the appeal preferred by the petitioner stands party accepted and appellant was acquitted under Section 304 of IPC and rest of the judgment was upheld.

At the very outset, learned counsel for the petitioner contends that he does not want to challenge the conviction of the petitioner 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.

Here, it would be pertinent to mention that the petitioner 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 petitioner is concerned. As such, the conviction of the petitioner is upheld.

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 petitioner has undergone the actual sentence of 3 months and 9 days out of total substantive sentence of 6 months, as of now, as per the custody certificate of the petitioner filed by learned State counsel in Court today. Thus, this court is of the considered view that a chance be given to the petitioner to reform & improve himself; to become a good citizen; and to lead a peaceful & harmonious life.

Taking into consideration the above narrated discussion as well as the fact that the petitioner 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 the aforesaid modification in the quantum of sentence, the present revision petition stands dismissed.

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

The criminal misc. application i.e. CRM-6915-2025 seeking suspension of sentence of the applicant/petitioner is disposed off, as having been rendered infructuous.

19.03.2025

Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>