

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRR-1297-2007
Date of decision: 25.09.2025

Bawa Singh

Versus

.....Petitioner

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sudhir Sharma, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The instant Criminal Revision arises from the judgement of conviction/order of sentence dated 16.11.2005 passed by learned Judicial Magistrate 1st Class, Kharar, as affirmed by learned Additional Sessions Judge (Adhoc)-cum-Presiding Officer, Fast Track Court, Rupnagar, vide judgement dated 12.07.2007, whereby the petitioner was convicted and sentenced, in case FIR No.100 dated 28.07.1998 under Sections 279, 304-A of the IPC, registered at Police Station Kharar, as follows :

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
279 IPC	RI for 01 year	Rs.1,000/-	RI for 02 months
304-A IPC	RI for 01 year	-	-

2. Learned counsel for the petitioner has, at the very outset, fairly conceded that in view of the concurrent findings of fact recorded

by the learned Trial Court and learned Appellate Court, he does not intend to assail the conviction of the petitioner on merits. His submission is confined solely to the quantum of sentence. It is urged that the accident pertains to the year 1998, and the petitioner has already undergone incarceration for a period of 03 months and 22 days. It is further submitted that the petitioner has endured the ordeal of protracted criminal proceedings, is peace-loving and law-abiding citizen, and has no other criminal antecedents. On these premises, learned counsel pleads for a lenient view, contending that no useful purpose would be served by subjecting the petitioner to further incarceration.

3. *Per contra*, learned State counsel has opposed the prayer for reduction of sentence while drawing attention to the concurrent findings recorded against the petitioner, it has been submitted that the conviction calls for no interference. However, the learned State counsel is unable to dispute that subsequent to the accident of the year 1998, the petitioner has maintained good conduct and has not been involved in any other criminal activity.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In the considered view of this Court, having regard to the facts enumerated hereinabove, particularly the circumstance that the accident is of the year 1998, and taking note of the fact—undisputed by the learned State counsel, that the petitioner has not indulged in any other criminal act thereafter and has otherwise been leading a

disciplined and law-abiding life, it would not be appropriate to send him back to prison at this stage of life, especially when he has already borne the brunt of prolonged trial proceedings.

6. In the totality of circumstances, ends of justice would be adequately met if, while upholding the conviction of the petitioner, his substantive sentence of rigorous imprisonment of 01 year is reduced to the period already undergone by him i.e. 03 months 22 days.

7. Ordered accordingly.

8. With the aforesaid modification in the quantum of sentence, the revision petition stands disposed of.

25.09.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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