

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRR-1320-2007
Date of decision: 25.09.2025

Mahender Singh

Versus

.....Petitioner

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Himmat Singh Deol, Advocate
for the petitioner.

Mr. Shiva Khurmi, DAG, Haryana.

MANJARI NEHRU KAUL, J.

1. The instant Criminal Revision arises from the judgement of conviction/order of sentence dated 03.03.2006/09.03.2006 passed by learned Additional Chief Judicial Magistrate, Karnal, as affirmed by learned Sessions Judge, Karnal, vide judgement dated 06.08.2007, whereby the petitioner was convicted and sentenced, in case FIR No.676 dated 04.10.1998 under Sections 279/337/304-A of IPC, registered at Police Station Sadar, Karnal, as follows :

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
279 IPC	RI for 03 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 01 month and 06 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 in 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. 01 month 06 days.

7. Ordered accordingly.

8. However, the petitioner is directed to deposit Rs.10,000/-as fine with the “Haryana State Legal Services Authority” within one month from the date of this order and a copy receipt of fine deposited be produced before the Chief Judicial Magistrate concerned. It is made clear that in the event of non-deposit of the fine within a period of one month from today, the benefit of reduction of sentence shall not accrue to the petitioner, and he shall be required to undergo the remaining part of the sentence awarded to him.

9. With the aforesaid modification in the quantum of sentence and the fine, the revision petition stands disposed of.

25.09.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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