

2025:PHHC:058962



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

**CRR-784-2025 (O&M)
DECIDED ON: 05.05.2025**

SUNIL

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Parveen Kaushik, Advocate
for the petitioner.

Mr. B.S. Virk, Sr. DAG Haryana

SANDEEP MOUDGIL, J (ORAL)

The instant revision petition has been preferred by accused Sunil challenging judgment of conviction dated 12.06.2018 and order of sentence dated 13.06.2018 passed by Judicial Magistrate 1st Class, Jhajjar, whereby the petitioner Sunil has been sentenced to undergo RI for a period of 1 year alongwith fine of Rs.500/- under Section 379 of IPC; in default thereof to further undergo SI for two months, and against the judgment dated 13.03.2025 passed by Additional Sessions Judge, Jhajjar vide which the appeal preferred by the petitioner stands dismissed.

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 5 months and 7 days out of total substantive sentence of 1 year, as of now, as per the custody certificate of the petitioner filed by learned State counsel in Court today. Apart from that the petitioner is only bread earner in his family. 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. Though, it is evident that the petitioner is also involved in other cases.

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 no change in compensation clause.

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-12275-2025 seeking suspension of sentence of the applicant/petitioner is disposed off, as having been rendered infructuous.

05.05.2025
Sham

(SANDEEP MOUDGIL)
JUDGE

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