

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRR-632-2006
Date of decision: 09.09.2025

Gulshan @ Jaimal Singh and anotherPetitioners

Versus

The State of HaryanaRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Proceedings qua petitioner No.1-Gulshan @ Jaimal Singh stands abated vide order dated 28.08.2025.

Mr. Atul Lakhanpal, Sr. Advocate with
Mr. Arvind Singh Grover, Advocate and
Ms. Bhavi Kapur, Advocate (Amicus Curiae)
for petitioner No.2.

Mr. Gagandeep Singh Chhina, Sr. DAG, Haryana.

MANJARI NEHRU KAUL, J.

1. The instant revision petition has been preferred against the judgement of conviction/order of sentence dated 23.05.2001/24.05.2001 passed by learned Additional Chief Judicial Magistrate, Hisar, in FIR No.698 dated 10.11.1995 under Sections 363/365/420/120-B/506 of the IPC registered at Police Station City Hissar, convicting and sentencing the petitioners, which judgement was upheld by the learned Additional Sessions Judge, Hisar, on 09.03.2006.

2. The petitioners were sentenced by learned Additional Chief Judicial Magistrate, Hisar, to undergo imprisonment as under : -

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
120-B IPC	RI for 03 years	Rs.500/-	RI for 03 months
363 IPC	RI for 03 years	Rs.500/-	RI for 03 months



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365 IPC	RI for 03 months	Rs.500/-	RI for 03 months
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2A. All the sentences were ordered to be run concurrently.

3. Status report by way of affidavit of Tanuj Sharma, HPS, Deputy Superintendent of Police, Hisar, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

4. Learned senior counsel as well as learned Amicus Curiae appearing for petitioner No.2 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, they do not intend to assail the conviction of petitioner No.2 on merits. Their submission is confined solely to the quantum of sentence. It is urged that the incident pertains to the year 1995, and petitioner No.2-Kamlesh has already undergone incarceration for a period of 02 months and 12 days. It is further submitted that petitioner No.2 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 senior counsel and learned Amicus Curiae pleads for a lenient view, contending that no useful purpose would be served by subjecting petitioner No.2 to further incarceration.

5. *Per contra*, learned State counsel has opposed the prayer for reduction of sentence while drawing attention to the concurrent findings recorded against petitioner No.2, it has been submitted that the conviction calls for no interference. However, the learned State counsel is unable to dispute that subsequent to the incident of the year 1995,



petitioner No.2 has maintained good conduct and has not been involved in any other criminal activity.

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

7. In the considered view of this Court, having regard to the facts enumerated hereinabove, particularly the circumstance that the incident is of the year 1995, and taking note of the fact—undisputed by the learned State counsel, that petitioner No.2 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 her back to prison at this stage of life, especially when she has already borne the brunt of prolonged trial proceedings.

8. In the totality of circumstances, ends of justice would be adequately met if, while upholding the conviction of petitioner No.2, her substantive sentence of rigorous imprisonment for a period of 03 years is reduced to the period already undergone by him i.e. 02 months and 12 days.

9. Ordered accordingly.

10. However, the fine imposed imposed upon petitioner No.2 is enhanced from Rs.1,500/- in toto to Rs.10,000/-. The enhanced amount of fine is to be deposited with the “Haryana State Legal Services Authority” within one month from the date of this order. It is made clear that in the event of non-deposit of the enhanced fine within a period of one month from today, the benefit of reduction of sentence shall not accrue to petitioner No.2, and she shall be required to undergo



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the remaining part of the sentence awarded to her.

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

09.09.2025

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(MANJARI NEHRU KAUL)
JUDGE

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