

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRR-483-2007

Date of decision: 08.09.2025

Sewa Singh and othersPetitioners
Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vishal Lamba, Advocate for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The instant revision petition has been preferred against the judgement of conviction/order of sentence dated 06.05.2004 passed by learned Judicial Magistrate 1st Class, Jalandhar, in FIR No.55 dated 25.04.2000 under Sections 325/323/34 of the IPC registered at Police Station Adampur, convicting and sentencing the petitioners, which judgement was upheld by the learned Additional Sessions Judge (Adhoc), Jalandhar, on 24.02.2007.

2. The petitioners were sentenced to undergo imprisonment as under : -

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
325 IPC	RI for 02 years	Rs.500/-	RI for 07 days
325/34 IPC	RI for 02 years	Rs.500/-	RI for 07 days
323/34	RI for 03 months	-	-

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



CRR-483-2007

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 occurrence pertains to the year 2000, and the petitioners have already undergone incarceration for a period of 02 months and 21 days. It is further submitted that the petitioners have endured the ordeal of protracted criminal proceedings, is a 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 petitioners to further incarceration.

4. *Per contra*, learned State counsel has opposed the prayer for reduction of sentence while drawing attention to the concurrent findings recorded against the petitioners, it has been submitted that the conviction calls for no interference. However, the learned State counsel is unable to dispute that subsequent to the occurrence pertains to the year 2000, the petitioners have maintained good conduct and have not been involved in any other criminal activity.

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

6. In the considered view of this Court, having regard to the facts enumerated hereinabove, particularly the circumstance that the occurrence pertains to the year 2000, and taking note of the fact—undisputed by the learned State counsel, that the petitioners have not indulged in any other criminal act thereafter and has otherwise been

**CRR-483-2007**

leading a disciplined and law-abiding life, it would not be appropriate to send them back to prison at this stage of life, especially when they have already borne the brunt of prolonged trial proceedings.

7. In the totality of circumstances, ends of justice would be adequately met if, while upholding the conviction of the petitioners, their substantive sentence of rigorous imprisonment for a period of 02 years is reduced to the period already undergone i.e. 02 months and 21 days.

8. Ordered accordingly.

9. However the fine imposed is enhanced from Rs.1,000/- to Rs.10,000/- each to be deposited with the “Punjab Chief Minister Relief Fund, A/c No.001934001000589, IFSC-TPSC0000019, Punjab State Cooperative Bank” 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 the petitioners, and he shall be required to undergo the remaining part of the sentence awarded to them.

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

08.09.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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