



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRR-581-2007

Date of decision: 09.09.2025

Babu Singh and anotherPetitioners
Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. I.S. Kooner, 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 08.09.2003 passed by learned Judicial Magistrate 1st Class, Mansa, in FIR No.87 dated 21.01.2000 under Sections 326/325/323/34 of the IPC registered at Police Station Jhunir, convicting and sentencing the petitioners, which judgement was upheld by the learned Additional Sessions Judge, Mansa, on 09.03.2007.

2. The petitioners were sentenced by learned Judicial Magistrate 1st Class, Mansa, to undergo imprisonment as under : -

Name of the convict	Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
Babu Singh	323 IPC	RI for 06 months	-	-
	326/34 IPC	RI for 1 ½ years	Rs.300/-	RI for 15 days
	325 IPC	RI for 1 ½ years	Rs.200/-	RI for 15 days
	325/34	RI for 1 year	Rs.200/-	RI for 15 days

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Kala Singh	323 IPC	RI for 06 months	-	-
	326 IPC	RI for 1 ½ years	Rs.300/-	RI for 15 days

2A. All the sentences were ordered to be run concurrently.

3. Learned counsel for the petitioners 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 petitioners on merits. His submission is confined solely to the quantum of sentence. It is urged that the incident pertains to the year 2000, and petitioner No.1-Babu Singh and petitioner No.2-Kala Singh @ Balwinder Singh have already undergone incarceration for a period of 01 month and 08 days and 03 months and 02 days respectively. It is further submitted that the petitioners have endured the ordeal of protracted criminal proceedings, are peace-loving and law-abiding citizens, and have 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 incident of the year 2000, the petitioners have maintained good conduct and has not been involved in any other criminal activity.

5. I have heard learned counsel for the parties and perused the



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relevant material on record.

6. In the considered view of this Court, having regard to the facts enumerated hereinabove, particularly the circumstance that the incident is of 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 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 1 ½ years is reduced to the period already undergone by them i.e. 01 month and 08 days and 03 months and 02 days respectively.

8. Ordered accordingly.

9. However, the fine imposed imposed upon the petitioners is enhanced to Rs.10,000/- each in toto. The enhanced amount of fine is to be deposited with the “Punjab State Legal Services Authority Disaster Relief Fund, A/c No.44426937384, IFSC-SBIN0014656, State Bank of India, Branch Sector 68, SAS Nagar, Mohali” 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 they shall be required to undergo the remaining part of the sentence awarded to them.



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

09.09.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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