

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

1.

CRR-672-2007

Date of decision: 16.09.2025

Nita @ Gurwinder Singh

Versus

.....Petitioner

State of Punjab

.....Respondent

2.

CRR-721-2007

Date of decision: 16.09.2025

Rulda Singh and another

Versus

.....Petitioners

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.S. Salar, Advocate
for the petitioner in CRR-672-2007.

Mr. Kulwant Singh Boparai, Advocate
for the petitioner in CRR-721-2007.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The instant Criminal Revisions arise from the judgement of conviction/order of sentence dated 18.01.2005 passed by the learned Judicial Magistrate 1st Class, Nabha, as affirmed by the learned Additional Session Judge, Patiala, vide judgement dated 23.03.2007, whereby the petitioners were convicted and sentenced as follows :

Name of the convict	Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
Nita @ Gurwinder Singh & Rulda Singh	325 IPC	RI for 02 years	Rs.800/-	Imprisonment for 07 days
	323/34 IPC	RI for 06 months	Rs.400/-	Imprisonment for 05 days
	341 IPC	RI for 01 month	Rs.100/-	Imprisonment for 03 days

Jagtar Singh	325/34 IPC	RI for 02 years	Rs.800/-	Imprisonment for 07 days
	323 IPC	RI for 06 months	Rs.400/-	Imprisonment for 05 days
	341 IPC	RI for 01 month	Rs.100/-	Imprisonment for 03 days

1A. All the sentences were ordered to be run concurrently.

2. Learned counsel for the petitioners have, 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 the petitioners on merits. Their submission is confined solely to the quantum of sentence. It is urged that the incident pertains to the year 2003, and the petitioners have already undergone incarceration for a period of more than 01 month. 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 plead for a lenient view, contending that no useful purpose would be served by subjecting the petitioners 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 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 2003, the petitioners have maintained good conduct and have 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 incident is of the year 2003, 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 have 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.

6. 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 by them.

7. Ordered accordingly.

8. However, the fine imposed upon the petitioners is enhanced from Rs.1,300/- each to Rs.10,000/- each in toto. The enhanced amount of fine is to be deposited with the “Poor Patient Welfare Fund, PGIMER, Chandigarh” 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.

9. With the aforesaid modification in the quantum of sentence and enhancement of fine, both the revision petitions stand disposed of.

10. A photocopy of this order be placed on the file of other connected case.

16.09.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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