



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

Criminal Revision No.1634 of 2008
Date of decision: September 3rd, 2025

Harvinder Singh
.....Petitioner
Versus

State of Punjab
....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Anmol Tuteja, *Amicus Curiae*
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is challenging the judgment dated 20.08.2008 passed by learned Additional Sessions Judge, Patiala, whereby the appeal preferred by him against the judgment of conviction and order of sentence dated 10.11.2006 passed by learned Judicial Magistrate 1st Class, Patiala, in FIR No.271 dated 18.05.2000 under Sections 420, 418, 467, 468, 120-B of the IPC registered at Police Station Kotwali, Patiala, vide which the petitioner was convicted and sentenced as follows, was dismissed:-

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
467 of the IPC	RI for 3 years	₹1,000/-	RI for 30 days
468 of the IPC	RI for 3 years	₹1,000/-	RI for 30 days

2. Both the sentences were ordered to be run concurrently.
3. Learned *amicus* for the revisionist-petitioner has assailed the impugned judgments passed by both the learned Courts below

primarily on the ground that they failed to appreciate the evidence led by the revisionist-petitioner in the right perspective as it is a matter of record that the power of attorney was in fact, genuine as well as a duly registered document. It is further contended that the FIR in question pertains to the year 2000, and ever since, the petitioner has been facing the ordeal of prolonged trial proceedings, spanning more than two decades. Learned counsel submits that out of the substantive sentence of three years imposed upon him, the petitioner has already undergone actual incarceration of 2 months and 6 days.

4. Custody certificate of the petitioner has been filed in Court, which is taken on record. Copy supplied to the counsel opposite.

5. *Per contra*, learned State counsel has opposed the prayer and submissions made by the counsel opposite and supported the concurrent findings recorded against the petitioner by both the Courts below. However, learned State counsel has not disputed that the FIR in question pertains to the year 2000 nor has he disputed that the petitioner is not involved in any other case much less under the IPC.

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

7. Both the Courts below have returned concurrent findings of guilt, which are borne out from the evidence on record and do not suffer from any illegality, irregularity or perversity. Hence, the conviction of the petitioner is affirmed. The only question that survives for consideration is that of sentence. It is undisputed fact that the FIR in question was registered around 25 years ago. During this entire period, the petitioner has faced the ordeal of protracted criminal proceedings. It is also not disputed that he has not been involved in any other

criminal case either prior to or after the occurrence, and has maintained good conduct. The petitioner, who is now 71 years of age, has already undergone two months and 6 days of incarceration.

8. Having regard to the aforesaid circumstances, including the long passage of time since the incident, the clean antecedents of the petitioner, and the period of imprisonment already undergone, this Court is of the considered opinion that the ends of justice would be adequately met by reducing the substantive sentence to the period already undergone while enhancing the quantum of fine.

9. Accordingly, while upholding the conviction of the petitioner, the substantive sentence of three years rigorous imprisonment awarded to him is hereby reduced to the period already undergone.

10. However, the fine imposed upon the petitioner is enhanced from ₹1,000/- each under Sections 467 and 468 of the IPC respectively to ₹10,000/- *in toto*, which shall be deposited in the “Punjab Chief Minister Relief Fund, A/c No. 001934001000589, IFSC-TPSC0000019, Punjab State Cooperative Bank”.

11. It is made clear that in the event of failure on the part of the petitioner to deposit the enhanced fine within a period of one month from today, the benefit of reduction of sentence shall not accrue to him, and he shall be required to undergo the remaining part of the sentence awarded by the Courts below.

12. With the aforesaid modifications, the revision petition stands disposed of.

September 3rd, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No