

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRR-340-2008
Date of decision: 16.09.2025

Bhupinder Singh and another
Versus
The State of Punjab

.....Petitioners
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Charanjit Singh Bakhshi, Advocate (through VC) and
Ms. Mallika, Advocate for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The instant Criminal Revision arises from the judgement of conviction/order of sentence dated 24.09.2007 passed by the learned Chief Judicial Magistrate, Muktsar, as affirmed by the learned Additional Session Judge (Adhoc) Fast Track Court, Muktsar, vide judgement dated 16.01.2008, whereby the petitioners were convicted and sentenced, in case FIR No.125 dated 06.07.1999 under Sections 326/34 of the IPC, registered at Police Station Sadar, Muktsar, as follows :

Name of the convict	Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
Bhupinder Singh	326 IPC	RI for 02 years	Rs.2,000/-	RI for 02 months
Chanan Singh	326 r/w Section 34 IPC	RI for 01 year	Rs.1,000/-	RI for 01 month

2. Learned counsel for the petitioner 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 1999, and the petitioners have already undergone incarceration for a period of more than 03 months. 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.

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 1999, 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 1999, 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 of 02 years and 01 year respectively, is reduced to the period already undergone by them i.e. 03 months & 26 days and 03 months & 19 days respectively.

7. Ordered accordingly.

8. However, the fine imposed upon the petitioners is enhanced from Rs.3,000/- to Rs.10,000/- 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 Code-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.

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

17.09.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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