



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

204

CRR-490-2008

Date of decision: 04.09.2025

Bakhtawara Ram and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sunil Panwar, Advocate with
Mr. Varun Sharma, Advocate and
Ms. Tejaswini, Advocate
for the petitioners.

Mr. Shiva Khurmi, DAG, Haryana.

Mr. Arnav Sood, Legal Aid Counsel
for respondent No.2.

MANJARI NEHRU KAUL, J.

1. The petitioners have filed the instant revision petition to impugn the order dated 03.03.2008 passed by learned Additional Sessions Judge (Fast Track Court), Ambala, whereby the appeals preferred by them against the judgment of conviction dated 07.08.2007 passed by learned Judicial Magistrate 1st Class, Ambala City, in a complaint under Sections 109, 120-B, 193, 419, 463, 465, 468, 471 of the IPC, was dismissed.

2. Vide judgment dated 07.08.2007, learned Judicial Magistrate 1st Class, Ambala City, convicted the petitioners and sentenced them as under:-



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Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
420 of the IPC	RI for 03 years	Rs.200/-	-
467 of the IPC	RI for 03 years	Rs.200/-	-
468 of the IPC	RI for 03 years	Rs.200/-	-
471 of the IPC	RI for 03 years	Rs.200/-	-
120-B of the IPC	RI for 03 years	Rs.200/-	-

3. Learned counsel for the petitioners, at the very outset, submits that the instant revision petition has been rendered abated qua petitioner No.1-Bakhtawara Ram and petitioner No.3-Satpal, who are stated to have expired on 21.05.2010 and 11.08.2008 respectively.

4. Learned counsel for petitioner No.2 submits that as far as petitioner No.2-Subhash Chand is concerned, he would not press the instant petition on merits in view of the concurrent findings of the facts recorded by the learned Trial Court and learned Appellate Court, and instead would restrict his prayer to the quantum of sentence only. It is urged that the occurrence pertains to the year 2007, and petitioner No.2-Subhash Chand has already undergone incarceration for a period of 01 month and 08 days. It is further submitted that petitioner No.2-Subhash Chand has 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 petitioner No.2-Subhash Chand, who is 61 year old man, to further incarceration.

5. *Per contra*, learned State counsel has opposed the prayer for reduction of sentence while drawing attention to the concurrent



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findings recorded against petitioner No.2-Subhash Chand; 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 of the year 2007, petitioner No.2-Subhash Chand has maintained good conduct and has not been involved in any other criminal activity.

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

7. In the considered view of this Court, having regard to the facts enumerated hereinabove, particularly the circumstance that the occurrence is of the year 2007, and taking note of the fact—undisputed by the learned State counsel, that petitioner No.2-Subhash Chand has 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 him back to prison at this stage of life, especially when he has already borne the brunt of prolonged trial proceedings.

8. In the totality of circumstances, ends of justice would be adequately met if, while upholding the conviction of petitioner No.2-Subhash Chand, his substantive sentence of rigorous imprisonment for a period of 03 years is reduced to the period already undergone i.e. 01 month and 08 days.

9. Ordered accordingly.

10. However the fine imposed is enhanced from Rs.200/- to R.5,000/- to be deposited with the “Punjab Chief Minister Relief Fund, A/c No.001934001000589, IFSC-TPSC0000019, Punjab State

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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 petitioner, and he shall be required to undergo the remaining part of the sentence awarded to him.

11. With the aforesaid modification in the quantum of sentence, the instant revision petition stands disposed of.

04.09.2025

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**(MANJARI NEHRU KAUL)
JUDGE**

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