



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

(204)

**CRR No. 784 of 2008 (O&M)
Date of Decision: 04.08.2025**

Afsana

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Arjun Sangwan Advocate (Legal Aid Counsel)
for the petitioner.

Mr. Anuj Garg, DAG., Punjab.

VIKRAM AGGARWAL, J (ORAL)

Vide judgment of conviction dated 27.03.2008, passed by the Court of Principal Magistrate Juvenile Justice Board, Patiala, the petitioner was convicted under Section 379 IPC and vide order of sentence of even date, she was ordered to be kept in the observation home for a period of one year. The said decision was challenged in appeal. Vide judgment dated 21.04.2008, the Court of Additional Sessions Judge, Patiala, while maintaining the conviction, reduced the period of stay in the observation home to six months. Against the said decision, the instant revision petition has been preferred.

2. No one has appeared on behalf of the petitioner. That being so, Mr. Arjun Sangwan, Advocate (PH/3895/2021) [PH250198], present in Court is appointed as Legal Aid Counsel to assist the Court. Intimation in this regard be sent to the High Court Legal Services Committee.

3. I have heard learned counsel for the parties.

4. Learned Legal Aid Counsel submits that the petitioner was a juvenile and a perusal of order dated 20.05.2008 shows that she remained in custody w.e.f., 01.01.2008 and her sentence was ordered to be reduced vide order dated 20.05.2008, meaning thereby that she remained in custody for the entire period barring ten odd days. He submits that keeping in view the fact that the petitioner was a juvenile and as the entire period as ordered by the Court of Additional Sessions Judge, Patiala, was undergone by the petitioner, the order of sentence be modified to that already undergone by the petitioner.

5. *Per contra*, learned State counsel has opposed the prayer.

6. I have considered the submissions made by learned counsel for the parties.

7. The allegation against the petitioner was that she stole a purse containing cash and other articles from a person who had gone to Gurudwara Dukh Niwaran Sahib, Patiala to pay obeisance. Upon having been arrested, the matter was investigated and Final Report under Section 173 Cr.P.C was submitted. Charge under Section 379 IPC was framed to which the petitioner pleaded guilty and claimed no trial. Accordingly, she was convicted under Section 379 IPC and was sentenced in the manner as referred to in the opening part of the judgment.

8. Since the petitioner was convicted and pleaded guilty to the charge framed against her and even otherwise, going through the record, I do not find any reason to interfere in the judgment on merits. However, since almost the entire period as ordered by the Court of Additional Sessions Judge, Patiala has already undergone by the petitioner, no useful purpose

would be served by continuing with the hearing any further and calling upon the petitioner to serve the remaining part of the sentence. Notably, the alleged incident is of 24.12.2007. The judgment of conviction was passed on 27.03.2008 and even the appeal was disposed of on 21.04.2008 after which the present revision petition was preferred before this Court.

9. That being so, while maintaining the order of conviction, the present revision petition is disposed of with the modification in the sentence to that already undergone by the petitioner.

Pending application(s), if any, shall stand disposed of accordingly.

(VIKRAM AGGARWAL)
JUDGE

August 04, 2025
Rekha

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