

**CRR-2271-2009(O&M)****-1-****IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRR-2271-2009(O&M)****Date of Decision:-04.04.2025****GURLABH KAUR****.....Petitioner****VERSUS****STATE OF PUNJAB****.....Respondent****CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Narinder Singh, Advocate
for the Petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Mr. Gaurav Vir Singh Behl, Advocate
for the complainant.

*********JASJIT SINGH BEDI, J.**

The present revision petition has been filed impugning the judgment dated 13.08.2009 passed by the Additional Sessions Judge (Fast Track Court), Bathinda whereby the appeal filed against the judgment of conviction and order of sentence dated 22.07.2008 passed by the Sub-Divisional Judicial Magistrate, Phul has been dismissed.

2. The FIR in the present case came to be registered on 05.06.2000. The judgment of conviction was passed on 22.07.2008 by the Sub-Divisional Judicial Magistrate, Phul. The appeal filed against the order of conviction was dismissed on 22.07.2008 by the Additional Sessions Judge (Fast Track Court), Bathinda. The instant revision petition was filed on 31.08.2009 and has come up for final hearing now i.e. after a period of more than 24 ½ years from the date of registration of the FIR.

3. The brief facts of the case are that Gurlabh Kaur wife of

**CRR-2271-2009(O&M)****-2-**

Mohinder Singh and Charanjit Kaur alias Sukhwinder Kaur struck a deal for Rs.15 lakhs to send Pritpal Singh and Jagjit Singh to Canada. As the complainants were not sent abroad, they got registered the FIR in question. On conclusion of the Trial, both the accused came to be convicted and sentenced by the Court of Sub-Divisional Judicial Magistrate, Phul vide judgment and order of sentence dated 22.07.2008 as under:-

Offence under Section	Sentence RI/SI	Fine	RI/SI in default of payment of fine
420 IPC	RI for 02 years each	Rs.1000/- each	RI for 03 months each
420/120-B	RI for 02 years each	Rs.1000/- each	RI for 03 months
420/120-B	RI for 02 years each	Rs.1000/- each	RI for 03 months

All the sentences were ordered to run concurrently.

4. The accused/petitioner preferred an appeal which came to be dismissed by the Court of Additional Sessions Judge (Fast Track Court), Bathinda vide judgment dated 13.08.2009.

5. The present revision petition has been filed by Gurlabh Kaur (petitioner) challenging her conviction.

6. During the pendency of the instant revision petition, the sentence of the accused/petitioner was suspended by this Court vide order dated 07.09.2009.

7. The counsel for the accused/petitioner at the very outset submits that the accused/petitioner does not wish to challenge her conviction but is ready and willing to make a payment of her share of the amount received from the complainants along with some interest element. For the said purpose, two drafts bearing No. 134360 and 134361 for a sum of Rs.5 lakhs



CRR-2271-2009(O&M)

-3-

each have been brought in Court. He, thus contends that her sentence be reduced to the period already undergone by her.

8. On the other hand, the learned State counsel submits that offences stand established beyond reasonable doubt and therefore, the present petition was liable to be dismissed.

9. Pritpal Singh (complainant) and Jagjit Singh (complainant) are present in Court along with their counsel. They state that in case a sum of Rs.5 lakhs each is paid by the accused/petitioner Gurlabh Kaur, they would have no objection if her substantive sentence is reduced to the period already by her.

10. I have heard learned counsel for the parties.

11. During the course of proceedings, two drafts bearing No. 134360 and 134361 for a sum of Rs.5 lakhs each have been handed over to the complainants present in Court.

12. In view of the aforementioned facts and circumstances wherein accused/petitioner Gurlabh Kaur has returned her share of the amount received along with interest to the complainants, her sentence is reduced to the period already undergone by her i.e. 27 days.

13. The present revision petition stands disposed of in the above terms.

(JASJIT SINGH BEDI)
JUDGE

04.04.2025

Jitesh *Whether speaking/reasoned* Yes/No
 Whether reportable Yes/No