

2025:PHHC:148625



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

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CRR-936-2025 (O&M)
Date of decision: 29.10.2025

Ashwani Kumar and another**...Petitioners****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Davinder Singh Saini, Advocate
for the petitioners.

Mr. Vivek Sharma, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The present revision petition has been filed against the judgment of conviction and order on quantum of sentence, both dated 18.07.2017, passed by the Court of learned Judicial Magistrate First Class, Jagraon in criminal case arising out of criminal complaint titled as ***State vs. Ashwani Kumar and others***, filed under Sections 420, 467, 468, 471, 201 and 120-B of IPC, whereby the petitioners were held guilty for commission of offences punishable under the aforesaid sections and were sentenced to undergo rigorous imprisonment for maximum 02 years with default clauses of fine; as well as against the judgment dated 28.02.2025, whereby the appeal of the petitioner had been dismissed by the appellate Court.

2. Today, learned counsel for the petitioners has made a statement so as not to press the present revision against the judgment of conviction, passed by the learned trial Court, as well as the judgment passed by the appellate Court. Learned counsel confines his prayer against the order of sentence only. It is further submitted that petitioner Ashwani Kumar has already undergone actual sentence of one year, one month and twenty-nine days, whereas petitioner-Satish

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Kumar has already undergone actual sentence of eleven months and twenty-five days. So looking into these circumstances, the sentence of the petitioners may be reduced to the period already undergone by them.

3. Learned State Counsel has no serious objection to the aforesaid prayer. He has filed custody certificates, as per which, the petitioners have already undergone actual sentence as mentioned above out of total sentence of 02 years as awarded by the trial Court and upheld by the appellate Court.

4. After hearing the counsel for the parties, I uphold the judgments of conviction passed by the Courts below as the same are based on appreciation of prosecution evidence, proving guilt of the petitioners, however, considering the fact that the petitioners have faced the agony of protracted trial and they have already undergone substantive portion of their sentence, the order on quantum of sentence dated 18.07.2017 is modified to the extent that the same is reduced to the period already undergone by them. However, the sentence of fine imposed upon the petitioners is upheld.

5. The petitioners are directed to be released from custody forthwith, if not required in any other case, on depositing fine as imposed by the trial Court, if the same is not deposited so far. The petition stands disposed of.

6. Let a copy of this order be sent forthwith to Jail Superintendent as well as the Court concerned for compliance.

7. Since the main petition stands disposed of, pending application, if any, shall also be treated as disposed of.

29.10.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No