

2025:PHF-C:073451



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

CRR-433-2009(O&M)

Date of Decision:-28.05.2025

Gura Singh & Ors.

.....Petitioners.

Vs.

State of Punjab.

.....Respondent.

AND

CRR-433-2009(O&M)

Darshan Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Rajat Dogra, Advocate for
Mr. SPS Sidhu, Advocate for the Petitioners
(in CRR-433-2009).

Mr. Gursahib Singh Hundal, Advocate for
Mr. Premjit Singh Hundal, Advocate for the Petitioner
(in CRR-506-2009).

Mr. Harkanwar Jeet Singh, Assistant Advocate General, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

By this common order I shall dispose of both the
aforementioned revision petitions as the same have arisen out of one and the

same FIR.

2. The present revisions petition have been filed impugning the judgment dated 10.02.2009 passed by Additional Sessions Judge, Ferozepur whereby the appeal filed against the judgment of conviction and order of sentence dated 23.08.2007 passed by Judicial Magistrate Ist Class, Ferozepur has been dismissed.

3. The FIR in the present case came to be registered on 27.03.1997. The judgment of conviction was passed on 23.08.2007 by the Judicial Magistrate Ist Class, Ferozepur. The Appeal filed against the order of conviction was dismissed on 10.02.2009 by the Additional Sessions Judge, Ferozepur. The instant revision petitions were filed on 17.02.2009 and 25.02.2009 respectively and have come up for final hearing now i.e. after a period of more than 28 years from the date of registration of the FIR.

4. The brief facts of the case are that Gura Singh son of Sh. Pirthi Singh, Nanak Singh son of Sh. Mangal Singh, Dharam Singh son of Sh. Bishan Singh and Darshan Singh son of Sh. Balwant Singh faced trial in FIR No.21 dated 27.03.1997 under Sections 420, 465, 468, 471, 120-B IPC P.S. Ghall Khurad and came to be convicted and sentenced by the court of Judicial Magistrate Ist Class, Ferozepur vide judgment dated 23.08.2007 as under:-

Name of Convict	Under Section	Rigorous Imprisonment	Fine Amount	In Default of payment of Fine
Gura Singh	465 IPC	RI for 08 Months	Rs.200/-	RI for 07 Days
-do-	471 IPC	RI for 08 Months	Rs.200/-	RI for 07 Days
-do-	409/120-B IPC	RI for 02 Years	Rs.800/-	RI for 01 Month
Nanak Singh	465 IPC	RI for 08 Months	Rs.200/-	RI for 07 Days
	471 IPC	RI for 08 Months	Rs.200/-	RI for 07 Days
	409 IPC	RI for 02 Years	Rs.800/-	RI for 01 Month
Dharam Singh	465 IPC	RI for 08 Months	Rs.200/-	RI for 07 Days

	471 IPC	RI for 08 Months	Rs.200/-	RI for 07 Days
	409 IPC	RI for 02 Years	Rs.800/-	RI for 01 Month
Darshan Singh	465 IPC	RI for 08 Months	Rs.200/-	RI for 07 Days
	471 IPC	RI for 08 Months	Rs.200/-	RI for 07 Days
	409 IPC	RI for 02 Years	Rs.800/-	RI for 01 Month

All the aforesaid sentences were ordered to run concurrently.

5. The accused/petitioners preferred appeals which came to be dismissed by the Court of Additional Sessions Judge, Ferozepur, vide judgment dated 10.02.2009.

6. The aforementioned judgments are under challenge in the present two revision petitions i.e. one bearing CRR-506-2009 filed by Darshan Singh son of Balwant Singh, Panchayat Secretary and the other one bearing CRR-433-2009 filed by Gura Singh, Nanak Singh and Dharam Singh a.

7. During the pendency of the instant revision petition, the sentence of the accused/petitioners were suspended vide orders dated 20.04.2009 respectively.

8. Further accused/petitioners Gura Singh and Dharam Singh have passed away during the pendency of the revision petition and proceedings qua them stand abated vide order dated 14.05.2025.

9. The Counsel for the accused/petitioners in CRR-433-2009 contends that Gura Singh and Dharam Singh have passed away and only Nanak Singh is surviving whereas the Counsel for the petitioner in CRR-506-2009 submits that Darshan Singh is very much alive but of advanced age. Both the Counsel state that they do not wish to challenge their respective convictions but as the FIR was registered on 27.03.1997, they came to be convicted on 23.08.2007, the appeal came to be dismissed on 10.02.2009 and the present revision petition has come up for hearing now

i.e. after a period of more than 28 years from the date of registration of the FIR their respective sentences be reduced to the period already undergone by them subject to payment of compensation as this Court deems fit.

10. The Counsel for the State on the other hand has placed on record the custody certificates dated 23.04.2025 & 26.05.2025 respectively. He has also filed a status report by way of affidavit dated 12.05.2025 of Mr. Karan Sharma, PPS, Deputy Superintendent of Police (Rural), Ferozepur in the court today, which is taken on record. He contends that the nature of the allegations leveled against the petitioners does not entitle them to the concession as prayed for. Therefore, the present petition is liable to be dismissed.

11. I have heard counsel for the parties.

12. A perusal of the facts and circumstances of this case and the material on record would reveal that the prosecution has established its case beyond reasonable doubt. Therefore, I find no merit in the revision petitions and the same stand dismissed.

13. As regards imposition of sentence, a perusal of the custody certificates would reveal that the accused/petitioners namely Nanak Singh and Darshan Singh have undergone custody of 02 months and 17 days and 02 months and 13 days respectively out of the substantive sentence of 2 years. The matter has come up for hearing now after more than 28 years have elapsed from the date of registration of the FIR. Therefore, while upholding their conviction, I deem it appropriate to reduce the sentence imposed on them to the period already undergone by them subject to them paying a sum of Rs.50,000/- each to Gram Panchayat, Ghall Khurd, Ferozepur. The sentence of fine and sentence in default thereof, however, shall remain intact. This Court be also informed about the deposit of the

aforesaid amount of Rs.50,000/- each (total amount Rs.1,00,000/-).

14. The revision petitions stand disposed of in the above terms.

15. Pending applications, if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

May 28, 2025

Vinay

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No