



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

Criminal Revision No.68 of 2009 (O&M)
Date of decision: September 10th, 2025

Pawan Kumar

.....Petitioner

Versus

State of Punjab

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunil Chadha, Senior Advocate
with Mr. Tara Dutt, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J.

Petitioner is challenging the judgment dated 14.11.2008 passed by learned Additional Sessions Judge, Fast Track Court, Ludhiana, whereby the appeal preferred by him against the judgment of conviction and order of sentence dated 24.09.2007 passed by learned Judicial Magistrate 1st Class, Ludhiana, in FIR No.198 dated 18.09.1995 under Sections 419, 420, 468 and 471 of the IPC registered at Police Station Division No.5, Ludhiana, vide which the petitioner was convicted and sentenced as follows, was dismissed:-

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
419 of the IPC	SI for 1½ years	₹1,000/-	SI for 10 days

2. At the outset, learned senior counsel for the petitioner has fairly conceded that, in light of the factual findings recorded by the learned trial Court, he will not press the instant petition on its merits. Instead, learned



CRR-68-2009 (O&M)

-2-

counsel seeks relief solely concerning the quantum of the sentence. Learned counsel argues that the FIR in question pertains to year 1995, and the petitioner has endured the agony of a protracted trial for close to 30 years. He further submits that the petitioner has led disciplined life since the crime in question and has not been involved in any other criminal case. Additionally, he has already served 2 months and 6 days out of total sentence of 1½ years. Given these facts and circumstances, the learned counsel for the petitioner prays that a lenient view be taken and the quantum of sentence awarded by the learned trial Court be reduced to the period already undergone by the petitioner, as further imprisonment would serve no useful purpose. It has been submitted that petitioner is willing to pay enhanced fine, which may be imposed by this Court.

3. Learned counsel for the State has, on instructions, not disputed that after the occurrence in question in the year 1995, the petitioner has maintained good conduct and has not been involved in any other untoward incident or criminal case. Learned counsel for the State has also filed the custody certificate of the petitioner, which is taken on record subject to just exceptions.

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

5. In view of the fact that the FIR in question pertains to the year 1995, and as has not been disputed by the learned State counsel, the petitioner has been leading a disciplined life ever since then, this Court does not deem it appropriate to send the petitioner behind bars at this juncture.

6. The ends of justice would be, thus, met if while maintaining the

**CRR-68-2009 (O&M)****-3-**

conviction of the petitioner, his substantial sentence of 1½ years is reduced to the period already undergone.

7. Ordered accordingly.

8. However, the fine imposed upon the petitioner is increased from ₹1,000/- to ₹5,000/-, which shall be deposited with the Punjab State Legal Services Authority Disaster Relief Fund, Account No.44426937384, IFSC : SBIN0014656, Branch Name: Sector 68, SAS Nagar, Mohali.

9. It is made categorically clear that if the enhanced fine is not deposited within one month from the date of this order, the benefit of reduction of sentence will not accrue to the petitioner, and he will be required to serve out the remaining part of his sentence.

10. With the aforesaid modifications, the revision petition stands disposed of.

September 10th, 2025*Puneet***(MANJARI NEHRU KAUL)****JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No