



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

203

CRR-365-2012

Date of Decision: 07.05.2025

AMRIK SINGH

.....Petitioner

Vs.

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioner.

Mr. Animesh Sharma, Addl. AG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Petitioner- Amrik Singh was tried by Ld. Judicial Magistrate Ist Class, Talwandi Sabo, in a case arising out of FIR No.29 dated 14.06.2006 under Sections 304-A IPC, registered at Police Station Kotfatta, vide judgment of conviction dated 10.01.2011 by the trial Court and was convicted under Sections 304-A and 279 of IPC and was sentenced to undergo rigorous imprisonment for a period of two years and to pay fine of ₹1,000/- with default sentence of two months rigorous imprisonment in case of non-payment of fine vide order of sentence. On appeal, the order of sentence was modified by reduction of sentence from rigorous imprisonment for a period of two years to rigorous imprisonment for 10 months by the Court of learned Sessions Judge, Bathinda vide judgment dated 06.12.2011.

2. Against the abovesaid orders, this revision was filed.

3. Today nobody is appearing on behalf of the petitioner. This Court has gone through the impugned judgments of the Courts below and finds that conviction has been recorded after proper appreciation of the evidence on record. This Court does not find any reason so as to interfere in the impugned judgment of conviction and as such, the same is hereby maintained.

4. However as far as the impugned order of sentence is concerned it is noticed that petitioner was sentenced maximum for a period of two years

rigorous imprisonment and to pay fine of ₹1,000/- with default sentence of two months rigorous imprisonment in case of non-payment of fine.

5. The custody certificate placed on record by the respondent-State would reveal that petitioner- Amrik Singh had already undergone total sentence of 04 months and 18 days. It is revealed further that petitioner has no other criminal antecedents. The offence had taken place way back in 2006 i.e. 18 years back.

6. In the aforesaid facts and circumstances, it will be in the interest of justice, if the period of imprisonment is reduced to the period already undergone by the petitioner, instead of sending him behind bars in the company of hardened criminals.

7. Consequently, the present revision is partly accepted. By maintaining the impugned judgment against conviction, the order of sentence as passed by the trial Court is modified and the petitioner is sentenced to imprisonment for the period already undergone by him. As far as fine is concerned, it will remain same.

8. However, it is made clear that amount of fine, if not paid earlier, shall be deposited before learned Chief Judicial Magistrate concerned, within a period of four weeks from today, failing which the petitioner will have to carry out the complete sentence as imposed by the trial Court.

Disposed of.

(DEEPAK GUPTA)
JUDGE

May 07, 2025
Nisha Yadav

Whether Speaking/reasoned	Yes
Whether Reportable	No