



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

204

CRR-2697-2013

Date of Decision: 07.05.2025

AMRIK SINGH & ANR

.....Petitioners

Vs.

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioners.

Mr. Animesh Sharma, Addl. AG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Petitioners - Amrik Singh and Sukhmander Singh were tried by Ld. Judicial Magistrate Ist Class, Bathinda, in a case arising out of FIR No.54 dated 20.06.2007 under Sections 341, 506, 323, 324, 325, 148, 149 IPC, registered at Police Station Sadar, vide judgment of conviction dated 08.02.2012 by the trial Court and were convicted under Sections 325/34 and were sentenced to undergo rigorous imprisonment for a period of one year and to pay fine of ₹1,000/- with default sentence of 15 days' rigorous imprisonment; under Section 323/34 and were sentenced to undergo rigorous imprisonment for a period of six months and to pay fine of ₹500/- with default sentence of 10 days' rigorous imprisonment, under Section 506/34 IPC and were sentenced to undergo rigorous imprisonment for a period of three months and to pay fine of ₹250/- with default sentence of 05 days' rigorous imprisonment in case of non-payment of fine vide order of sentence. On appeal, the judgment of conviction and order of sentence were upheld by the Court of learned Additional Sessions Judge (Adhoc), Fast Track Court, Bathinda vide judgment dated 03.08.2013.

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 petitioners were sentenced maximum for a period of one year rigorous imprisonment and to pay fine of ₹1,000/- with default sentence of 15 days rigorous imprisonment in case of non-payment of fine.

5. The custody certificate placed on record by the respondent-State would reveal that petitioner No.1- Amrik Singh had already undergone total sentence of 01 month and 16 days and petitioner No.2– Sukhmander Singh had already undergone total sentence of 01 month and 16 days. It is revealed further that petitioners have no other criminal antecedents. The offence had taken place way back in 2007 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 petitioners, instead of sending them 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 petitioners are sentenced to imprisonment for the period already undergone by them. 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 petitioners 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