



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Revision No. 3308 of 2013 (O&M)

Reserved On: 11.08.2025
Pronounced On: 25.08.2025

Jeet Singh and Others
... Petitioner(s)

Versus

State of Punjab
... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. M.S.Sandhu, Advocate
for the petitioner(s).

Mr. Rohit Bansal, Senior Deputy Advocate General,
Punjab, for the respondents.

Surya Partap Singh, J.

1. With regard to the commission of offence punishable under Sections 353, 186, 342, 32, 506 and 34 of the Indian Penal Code, 1860 (hereinafter referred to as “IPC”), vide FIR No. 318 dated 10.11.2005, Police Station Sirhind, the revisionists (hereinafter referred to as “the petitioners”) have been convicted for the commission offence punishable under Sections 186, 332, 342 and 353 IPC and sentenced to undergo imprisonment as under:-

S.No.	Name of Accused	Offence U/s	Sentence
1.	Jeet Singh, Preetinder Singh and Harwinder Singh alias Sonu	186 IPC	Simple Imprisonment for one month and to pay fine of ₹100/- each. In default of payment of fine, to further undergo SI for seven days.
2.	Jeet Singh, Preetinder Singh	332 IPC	Rigorous Imprisonment for one month and to pay

	and Harwinder Singh alias Sonu		fine of ₹500/- each. In default of payment of fine, to further undergo SI for two months.
3.	Jeet Singh, Preetinder Singh and Harwinder Singh alias Sonu	342 IPC	Rigorous Imprisonment for one month and to pay fine of ₹200/- each. In default of payment of fine, to further undergo SI for one month.
4.	Jeet Singh, Preetinder Singh and Harwinder Singh alias Sonu	353 IPC	Rigorous Imprisonment for one month and to pay fine of ₹500/- each. In default of payment of fine, to further undergo SI for two months.

All these sentences have been ordered to run concurrently.

2. The above mentioned judgment of conviction and order of sentence were challenged by the petitioners in the Court of learned Additional Sessions Judge, Fatehgarh Sahib. However, the appeal filed by the petitioners did not find favour from the learned Additional Sessions Judge.

3. Aggrieved of the above mentioned judgment of conviction passed by the learned trial Court, and the judgment of dismissal of appeal by the Court of learned Additional Sessions Judge, the instant revision petition has been preferred by the petitioners.

4. Succinctly, the facts emerging from record shows that the FIR mentioned above came into being in view of a complaint submitted by Jagpal Singh, Junior Engineer, posted in Sub Division, Punjab State Electricity Board, Chorwala. In the above mentioned complaint, it was alleged by the complainant that on 10.11.2005, when a checking party comprising of several officials of the Punjab State Electricity Board (hereinafter referred to as “the PSEB”) visited in village Jallah and reached

the house of the petitioners, it was found that the petitioner was committing theft of electricity by direct connection to the main line. According to complainant, when appropriate formalities were being completed by the officials of the PSEB, petitioner-Jeet Singh exhorted and provoked his sons, namely Preetinder Singh and Sonu Singh to teach the officials of the PSEB a lesson. As per complaint, thereafter they all three, in a threatening manner physically pushed the visiting party of the PSEB and illegally locked the complainant in their drawing room, and thereafter, thrashed him.

5. It has been the case of the prosecution that in view of the above mentioned complaint, a formal FIR in this case was lodged and the investigation taken up. As per prosecution, on completion of investigation, when the challan was presented and trial was conducted by the learned trial Court, it culminated into conviction.

6. Heard.

7. At the threshold, the learned counsel for the petitioners has made it clear that he does not want to argue on the merits of the case i.e. qua the findings recorded by the learned trial Court with regard to conviction of the petitioners. The revision petition has been pressed by learned counsel for the petitioner with regard to order on quantum of sentence only.

8. It has been argued on behalf of petitioners that they are not habitual offenders and that instant prosecution is the only prosecution faced by the petitioners. According to learned counsel for the petitioners, petitioner No.1-Jeet Singh is more than 90 years old, whereas petitioners No.2 and 3 both are aged around 60 years. In view of above, learned counsel for the petitioners has argued that the petitioners, who have no criminal antecedents,

and in the last 20 years since the registration of FIR pertaining to the present case, they have not indulged in any kind of criminal activity, they are entitled for the concession of probation/admonition.

9. Per contra, the learned State counsel has argued that age of the petitioners has no relevance for the benefit being sought by the petitioners and that the gravity of offence committed by the petitioners renders them ineligible for any lenient view. According to learned State counsel, the petitioners are not entitled for the benefit of probation/admonition.

10. The record has been perused carefully.

11. Having heard the learned counsel for the parties and going through the record carefully, once the finding recorded by the learned trial Court with regard to the proof of charge against the petitioners has not been challenged, the above mentioned findings recorded by the learned trial Court is hereby upheld.

12. As far as the order on the point of quantum of sentence is concerned, in view of the fact that the instant offence is the first offence of the petitioners and that in the last 20 years, any of the petitioners is not reported to have indulged in any criminal activity and that the maximum punishment prescribed for the offence committed by the present is imprisonment upto three years, the petitioners, being the first offenders and having clean antecedents before and after the commission of present offence, are eligible for the benefit of probation.

13 In view of cumulative effect of above mentioned observations, the plea of the petitioners with regard to the benefit of probation deserves to be accepted. Consequently, by partly accepting the present revision petition,

the sentence awarded to the petitioners is hereby modified and the benefit of probation is accorded to the petitioners. They are directed to furnish the requisite bonds of good behaviour to the satisfaction of the learned trial Court/Chief Judicial Magistrate. Once the bonds are executed, the petitioners would be released on probation for a period specified by the learned trial Court/Chief Judicial Magistrate. Obvious to say that in case of any offence committed by the petitioner during the period of probation, they shall have to undergo the sentence awarded in this case.

13. The revision petition stands disposed of, accordingly. The miscellaneous application(s) pending, if any, shall also stand disposed of.

(Surya Partap Singh)
Judge

August 25, 2025
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No