



CRR-3574-2014

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

CRR-3574-2014**Date of decision : 09.09.2025**

MANJEET @ SONU

..... PETITIONER

VERSUS

STATE OF HARYANA

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. R. A. Sheoran, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, Addl. A.G, Haryana.

SURYA PARTAP SINGH. J.(Oral)

1. On 03.05.2008, the FIR No.282 was lodged in Police Station City Bhiwani for the commission of offence punishable under Section 25 of Arms Act. For the above mentioned offence the petitioner was prosecuted and sent to trial to the Court of Learned Sub Divisional Judicial Magistrate, Shiwani Camp at Bhiwani. The above mentioned trial of petitioner culminated into his conviction by virtue of judgment dated 09.07.2012. Accordingly vide order dated 12.07.2012 the petitioner was sentenced to undergo rigorous imprisonment for a period of 03 months and pay a fine of Rs. 500/-. For default in payment of fine, the petitioner was directed to undergo rigorous imprisonment for one month in addition.
2. Aggrieved of the above mentioned judgment of conviction and order of sentence, the petitioner preferred an appeal in learned Sessions Court.



The appeal preferred by the petitioner was decided by learned Additional Sessions Judge, Bhiwani by virtue of judgment dated 14.10.2014. However the appeal of petitioner did not find favour in the Court of learned Additional Sessions Judge, Bhiwani and therefore, by dismissal of appeal, the judgment of conviction and order of sentence passed by learned Sub Divisional Judicial Magistrate was affirmed.

3. The instant revision petition has been filed by the petitioner on the ground that an error of judgment has been committed by both the above mentioned two Courts and that both the Courts have failed to appreciate the fact that the evidence produced by the prosecution was grossly inadequate to warrant conviction. Hence, the revision petition for setting aside of both the judgments.

4. The sentence of the petitioner was suspended vide order dated 10.11.2014.

5. Heard.

6. It has been contended by learned counsel for the petitioner that on dismissal of appeal in the Court of Additional Sessions Judge, Bhiwani, the petitioner was taken into custody and on suspension of sentence by this Court vide order dated 10.11.2014, he was released. According to learned counsel for the petitioner this way out of a period of 06 months, the petitioner has already been undergone imprisonment for a period of 02 months and 03 days.

7. Learned counsel for the petitioner has further contended that the petitioner has no criminal antecedents and he is facing the agony of present prosecution for the last more than 15 years. The learned counsel for the petitioner has also argued that in the given facts situation, the petitioner does



not want to press this revision petition with regard to finding of conviction of the petitioner and that he seeks indulgence of revisional jurisdiction of this Court with regard to quantum of sentence only.

8. In this regard, it has been argued by learned counsel for the petitioner that in view of age of the petitioner, his clean antecedents and the long agony of facing prosecution in 3 different Courts in the last more than 15 years a lenient view be taken against him. According to learned counsel for the petitioner the quantum of sentence awarded to the petitioner should be modified to the extent of imprisonment, he has already undergone, i.e. 02 months and 03 days. However, no modification with regard to sentence for payment of fine has been sought.

9. Per contra learned State counsel has argued that allegations against the petitioner are quite specific and already a very lenient view has been taken by the learned trial Court. As per learned State counsel, the sentence awarded to the petitioner is already inadequate and therefore, there is no scope for further leniency, in the instant case.

10. The record has been perused carefully.

11. A perusal of record shows that allegations against the petitioner were for being in possession of a knife. The FIR in question was lodged in the year 2008 and after lodging of FIR when the petitioner was arrested, till today he is facing the agony of prosecution. It is also apparent on record that the petitioner has no other case pending against him nor he has ever been prosecuted in the past. The age of petitioner also as per record comes out to be 37 years, which means that when the offence was committed by the petitioner, he was a young boy of 20 years old.



12. Taking into consideration the totality of all the above mentioned circumstances and the fact that in the last more than 17 years the clean record of the petitioner proves that in every practical possibility, he stands reformed, it is hereby held that the petitioner needs a special consideration and deserves a lenient view.

13. Hence, the present revision petition is hereby partly accepted with regard to quantum of sentence. In the given facts situation, the period of sentence already undergone by the petitioner is hereby held to be sufficient to meet the ends of justice.

14. As a sequel to above mentioned observation and In view of the fact that the instant revision has not been pressed by learned counsel for the petitioner, with regard to judgment of conviction, and otherwise also on merit the charge against the petitioner stands proved with regard to judgment of conviction, the judgment of learned trial Court vis-a-vis Appellate Court are hereby upheld. Hence qua this aspect the present petition is hereby dismissed. However, with regard to quantum of sentence the judgment of learned trial Court is modified to the extent that instead of undergoing sentence for a period of 06 months, the petitioner shall have to undergo imprisonment for a period of 02 months and 03 days, only i.e. the period which he has already undergone.

15. The petition stands partly allowed, accordingly. Personal bonds and surety bonds of the petitioner shall stands discharge.

(SURYA PARTAP SINGH)
JUDGE

09.09.2025

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Whether speaking/reasoned : Yes
Whether Reportable : No