



IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

247

CRR-923 of 2014  
Date of decision : 01.04.2025

Ram Singh ..... Petitioner

VERSUS

State of Punjab & Anr. .... Respondents

**CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Veneet Sharma, Advocate, for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

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**HARPREET SINGH BRAR, J. (Oral)**

1. The present revision is preferred against the judgment dated 24.02.2014 passed by the learned Additional Sessions Court, Amritsar vide which the appeal against judgment of conviction and order of sentence dated 05.01.2012/10.01.2012 passed by the Chief Judicial Magistrate, Amritsar in Criminal Case No. 229 dated 23.04.2004/23.06.2011 filed under Section 420/120-B IPC has been upheld. The petitioner was sentenced as under:

| Name      | Offence | Sentence                                                                                                                                      |
|-----------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Ram Singh | 420 IPC | Rigorous Imprisonment for 3 years and a fine of Rs. 5000/- and in default of payment of fine, rigorous imprisonment for a period of 2 months. |

2. The facts, in brief, are that the petitioner-Ram Singh cheated Karam Singh son of Pannu Singh by dishonestly including him to deliver an amount of Rs.42,000/- for securing a job for his son in the Indian Army



and also cheated various persons i.e. Mangal Singh, Puran Singh and Darbara Singh, Ravinder Singh, Sucha Singh and Gurdev Singh.

3. After assessing the material available on record, the learned trial Court convicted the petitioner vide judgment dated 05.01.2012. Aggrieved by the same, the petitioner preferred an appeal before the learned lower Appellate Court, which was dismissed vide judgement dated 24.02.2014.

4. Learned counsel for the petitioner submits that he is not assailing the impugned judgment of conviction dated 05.01.2012 on merits and restricts his prayer to modification of the order of quantum of sentence to that of the release of the petitioner on probation in view of his age and good conduct.

5. Learned State counsel does not object to the restricted prayer of the petitioner, so long as the conviction of the petitioner is upheld.

6. Having heard the learned counsels for the parties and after perusing the record of the case with their able assistance, it transpires that the petitioner is a 62 years old man.

7. Section 3 and 4 of the Probation of Offenders Act, 1958 empowers the Courts to release the convicts if deemed appropriate in view of circumstances of the case. Similarly, Sections 360 and 361 of the Cr.P.C also allows the Courts to release convicts on probation for good conduct in the cases and circumstances mentioned therein. A two Judge Bench of the Hon'ble Supreme Court in **Som Dutt and others Vs. State of Himachal Pradesh (2022) 6 SCC 722** speaking through Justice Bela M. Trivedi, has held as under:-

*“6....having regard to the fact there are no criminal antecedents against the appellants, the court is inclined to give them the*



*benefit of releasing them on probation of good conduct. In that view of the matter, while maintaining the conviction and sentence imposed on the appellants, it is directed that the appellants shall be released on probation of good conduct.....”*

8. A two Judge Bench of the Hon’ble Supreme Court in **Lakhvir Singh Vs. State of Punjab (2021) 2 SCC 763** speaking through Justice Sanjay Kishan Kaul, has held as under:-

*“6....having regard to the fact there are no criminal antecedents against the appellants, the court is inclined to give them the benefit of releasing them on probation of good conduct. In that view of the matter, while maintaining the conviction and sentence imposed on the appellants, it is directed that the appellants shall be released on probation of good conduct.....”*

9. In view of the facts and circumstances of the case, the instant revision petition is disposed of in the following terms:

- i. The judgment dated 24.02.2014 passed by the learned Additional Sessions Court, Amritsar, confirming the conviction of the petitioner is upheld.
- ii. The order of sentence dated 10.01.2012 passed by the learned Chief Judicial Magistrate, Amritsar is modified to the extent of granting the concession of probation to the petitioner for good conduct.
- iii. The petitioner shall be released on probation for good conduct on furnishing a personal bond of Rs.10,000/- with a surety for the same amount, after furnishing an undertaking to keep the peace and good behaviour for a period of one year to the satisfaction of the concerned trial Court.
- iv. The petitioners shall remain under the supervision of the concerned Probation Officer during the aforesaid period. If the petitioner fails to comply with the said directions or commit breach of the undertaking rendered by him, he shall be called upon to undergo the sentence imposed upon them by



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the learned trial Court.

(HARPREET SINGH BRAR)  
JUDGE

01.04.2025  
anil

Whether speaking / reasoned Yes/No  
Whether Reportable Yes/No