



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRA-S-1950-2019 (O&M)
Date of decision: 12.11.2025

Inderjit Singh @ Raghu and another

...Appellant(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Sumeet Puri, Advocate for the appellant (through V.C.).
Mr. Mohit Kapoor, Sr. DAG Punjab.
Mr. G.S. Sidhu, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-46801-2024

Application is disposed of. Amended memo of parties is taken on record.

Main case:

1. The present appeal has been preferred against the judgment of conviction and order of sentence dated 23.05.2019, passed by the Additional Sessions Judge, Sangrur, in Sessions Case No. 71 dated 11.11.2016 arising out of FIR No. 215 dated 21.06.2016 registered under Sections 307/324/341/148/149 of the Indian Penal Code, 1860 at Police Station City Sangrur, District Sangrur.

2. Brief facts of the case are that the injured-complainant Jagroop Singh is the President of Himmat Singh Dharamshala and prior to him, appellant No.2 Kirpal Singh (son of Hari Singh), resident of Gali No.6, Prem Basti Sangrur, was the president of said Dharamshala. The latter was, however, removed from the presidency by the Dharamshala committee



before the election of the complainant/injured as the president. Since then the appellants had been nursing a grudge against him. On 21.06.2016, the complainant was travelling to Dharamshala from his house by his Motorcycle bearing Registration No. PB-13A-5686 Make Hero Honda. When he reached near Patwar Khana main road, bus stand Sangrur at about 5.00 AM, appellant No.1-Inderjit Singh, armed with Kirpan, appellant No.2-Kirpal Singh armed with Dang, Sandeep Singh @ Mantel, Shubham along with 5/7 unknown persons armed with a baseball bat, came out of the street at once and encircled him. Kirpal Singh raised lalkara by stating that Jagroop Singh be taught a lesson for getting presidency from him and that he should not go scot free. In the meantime, Inderjit Singh alias Raghu gave a kirpan blow with the intention to kill him and the complainant in order to save himself, sat down after alighting from the motorcycle at once. Inderjit Singh gave the kirpan blow with its front side, which hit his left knee. Kirpal Singh gave him a dang blow with the intention of killing him, which hit him on his head. Inderjit Singh gave another blow of kirpan, which hit his right knee. Thereafter, Sandeep Singh alias Mantel gave a blow with the baseball bat, which hit both of his legs while Shubham gave a baseball bat blow, which hit his leg. The complainant then raised a hue and cry and in the meantime, people gathered there. The assailants then fled away from the spot with their respective weapons. Thus, an FIR under Section 307/341/323/324/148/149/120-B of the IPC came to be registered against the appellants.



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3. Subsequently, challan was filed and charges were framed against all the accused for the offences punishable under Sections 307/324/341/148/149/120-B IPC to which they did not plead guilty and claimed trial.
4. After closing the prosecution evidence, the statements of the accused were recorded under Section 313 CrPC. He denied the charges and pleaded false implication. However, no evidence was led by the accused in their defence.
5. Upon consideration of the submissions advanced by the prosecution as well as by the learned defence counsel, the learned trial Court acquitted the appellants of offences under Sections 307, 148, 149 and 120-B of the Indian Penal Code, 1860 and convicted the appellants for offences under Sections 341, 324, 323 and 34 of the Indian Penal Code, 1860 and sentenced the appellants as under:-

Appellant No.1- Inderjit Singh @ Raghu

Sr. No.	Offence Under Section	Rigorous Imprisonment	Fine	In default of payment of fine to under RI
1	341 I.P.C.	One month	---	----
2	324 I.P.C.	Two years	Rs.2000/-	Three months
3	323/34 I.P.C.	One year	Rs.1000/-	Two months

Appellant No.2- Kirpal Singh

Sr. No.	Offence Under Section	Rigorous Imprisonment	Fine	In default of payment of fine to under RI
1	341 I.P.C.	One month	---	----



2	323 I.P.C.	One year	Rs.1000/-	Two months
3	324/34 I.P.C.	Two years	Rs.2000/-	Three months

6. It was ordered that both the sentences shall run concurrently. Aggrieved of the aforesaid judgment of conviction and order of sentence dated 23.05.2019, the appellants-accused have preferred the present appeal.

Arguments.

7. During the course of the hearing on the appeal and after arguing the matter at some length, learned counsel appearing on behalf of the appellants-accused has contended that he does not wish to press the present appeal on merits or challenge the judgment of conviction and that he would confine his submissions only to the question of quantum of sentence.

8. The learned counsel appearing on behalf of the appellants-accused has thus referred to the following mitigating circumstances for seeking relaxation in the sentence so awarded to him by the learned trial Court:-

- “(i) That the offence in question is alleged to have been committed in the year 2016. The appellant No.1 himself was a young boy of about 24 years of age, while appellant No.2 was about 54 years of age at the time of the commission of the said offence.
- (ii) That the appellants-accused have already faced the agony of a protracted criminal trial for a period of nearly 9 years



and have not indulged in the commission of any other offence.

- (iii) That none of the injuries that had been inflicted on the injured-complainant are grievous in nature.
- (iv) That the appellants–accused are now nearly 32 years and 61 years of age respectively and that they have moved ahead in their lives.
- (v) That compelling the appellants–accused to undergo the remainder of their substantive sentence of imprisonment would not be in the fitness of things.
- (vi) The parties had entered into a mutual settlement and the compromise deed is already on record as Annexure A-1.”

9. Learned counsel appearing on behalf of the State vehemently contends that the prosecution has duly established its case against the appellants–accused and that it is imperative that harsh punishment be imposed upon them so as to send a strict message to society. The punitive aspect of the punishment has a deterrent effect on society and effectively checks repetition of the offence by the accused and controls any allurements of other persons from foraying into the adventure.

10. Counsel for the complainant is not in a position to dispute the compromise between the parties.

CONCLUSION.

11. Taking into consideration the protracted criminal trial and the consequent agony faced by the appellants–accused, the actual sentence out of



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total sentence already undergone by the appellants-accused, the reformative tendency shown by the appellants-accused by not indulging in any other similar offence, the age of the appellants-accused at the time of the incident as well as the mutual resolution of the dispute between the parties, the present appeal is **partly allowed**. While the judgment of conviction dated 23.05.2019, passed by the Additional Sessions Judge, Sangrur, in Sessions Case No. 71 dated 11.11.2016 arising out of FIR No. 215 dated 21.06.2016 registered under Sections 307/324/341/148/149 of the Indian Penal Code, 1860 at Police Station City Sangrur, District Sangrur, vide which the appellant hereby was convicted only under Sections 341, 324, 323/34 of the Indian Penal Code, 1860 is hereby affirmed, the order of sentence is modified and the sentences awarded to the appellants-accused are reduced to the period already undergone.

12. The appeal stands **partly allowed** accordingly.

(VINOD S. BHARDWAJ)
JUDGE

12.11.2025
Mangal Singh

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