

2025:PHHC:001373



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

112

CRR-1938-2024 (O&M)
Date of decision: 08.01.2025

Lovepreet Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Fateh Singh Bhullar, Advocate
for the petitioner.

Ms. Swati Batra, Deputy Advocate General, Punjab.

MANISHA BATRA, J. (Oral)

1. CRM-51201-2024

Prayer in this application is for preponing the date of the main case,
which is fixed for 11.02.2025.

For the reasons stated in the application, the same is allowed. Let
the main case be preponed and taken up today itself.

2. CRM-39944-2024

Prayer in this application is for condoning the delay of 896 days in
filing the present revision petition.

For the reasons stated in the application, the same is allowed and
the delay of 896 days in filing the present revision petition is hereby condoned.

3. CRR-1938-2024 (O&M)

The present revision petition has been filed against the judgment of
conviction and order on quantum of sentence, both dated 18.12.2017, passed by
the Court of learned Judicial Magistrate First Class, Mohali in criminal case
arising out of the FIR No. 209 dated 19.11.2015, registered under Sections 379,

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411, 472 and 473 of IPC at Police Station Mattaur, whereby the petitioner was held guilty for commission of offences punishable under Sections 411 and 473 of IPC and was sentenced to undergo rigorous imprisonment for maximum 01 year with default clause of fine; as well as against the judgment dated 19.12.2018, whereby the appeal of the petitioner had been dismissed by the Court of learned Additional Sessions Judge, SAS Nagar (Mohali).

4. Today, learned counsel for the petitioner has made a statement so as not to press the present revision against the judgment of conviction, passed by the learned trial Court, as well as the judgment passed by the learned appellate Court. Learned counsel confines his prayer against the order of sentence only. It is further submitted that petitioner has already undergone actual sentence of 11 months and 16 days out of total sentence of 01 year as awarded by the learned trial Courts and hence looking into these circumstances, the sentence of the petitioner may be reduced to the period already undergone by him.

5. Learned State Counsel has no serious objection to the aforesaid prayer. She has filed custody certificate, as per which, the petitioner has already undergone actual sentence of 11 months and 16 days out of total sentence of 01 year as awarded by the learned trial Court and upheld by the appellate Court.

6. After hearing the counsel for the parties, I uphold the judgments of conviction passed by the Courts below as the same are based on appreciation of prosecution evidence, proving guilt of the petitioner, however, considering the fact that the petitioner has faced the agony of protracted trial and he has already undergone actual sentence of 11 months and 16 days out of total sentence of 01 year as awarded by the learned trial Court, the order on quantum of sentence dated 18.12.2017 is modified to the extent that the same is reduced to the period

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already undergone by him. However, the fine imposed upon the petitioner is upheld.

7. The petitioner is directed to be released from custody forthwith, if not required in any other case, on depositing fine as imposed by the learned trial Court. His personal/surety bonds be discharged accordingly.

8. Let a copy of this order be sent forthwith to Jail Superintendent as well as the Court concerned for compliance.

9. Since the main petition stands disposed of, pending application, if any, shall also be treated as disposed of.

08.01.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No