

2025:PHHC:081344



261

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

**CRR-2987-2019
DECIDED ON: 08.07.2025**

GURSEWAK SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Fariad Singh Virk, Advocate for the petitioner.
Mr. Sandeep Singh, AAG Punjab

SANDEEP MOUDGIL, J (ORAL)

The instant revision petition has been preferred by accused Gursewak Singh challenging judgment of conviction dated 19.05.2016 and order of even date passed by Chief Judicial Magistrate, Patiala, whereby the petitioner Gursewak Singh has been sentenced to undergo RI for a period of 6 months and to pay a fine of Rs.1000/- under Section 16 of Prevention of Food Adulteration Act, in default of payment of fine further undergo SI for a period one week and against the judgment dated 01.11.2019 passed by Additional Sessions Judge, Patiala vide which the appeal preferred by the petitioner, stands dismissed.

At the very outset, learned counsel for the petitioner contends that he does not want to challenge the conviction of the petitioner on merits. However, he submits that in view of the circumstances of the case, the sentence awarded by the trial Court is on higher side.

Here it would be pertinent to mention that the petitioner did not challenge his conviction on merits and only confined his relief qua quantum of

sentence. This Court has also scrutinized the impugned judgment as well as the relevant documents/evidence and is of the considered view that there is no scope for any interference in impugned judgment as far as the conviction of the petitioner is concerned. As such, the conviction of the petitioner is upheld.

As far as quantum of sentence is concerned, there are mitigating circumstances to take a lenient view in the matter of sentence awarded by the trial court. The petitioner has undergone the actual sentence of 4 months and 4 days out of total substantive sentence of 6 months, as per the custody certificate of the petitioner filed by learned State counsel in Court today. Apart from that the petitioner is only bread earner in his family. Thus, this court is of the considered view that a chance be given to the petitioner to reform & improve himself; to become a good citizen; and to lead a peaceful & harmonious life.

Taking into consideration the above narrated discussion as well as the fact that the petitioner has not challenged his conviction on merits, while affirming his conviction, the order of sentence is modified to the extent to the period already undergone by him with no change in compensation clause.

With the aforesaid modification in the quantum of sentence, the present revision petition stands dismissed.

The petitioner is ordered to be released forthwith in case he is not required in any other case.

(SANDEEP MOUDGIL)
JUDGE

08.07.2025
Meenu

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