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

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CRA-S-3463-2023 (O&M)
Date of decision: 22.09.2025

Sahid**...Appellant****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Parveen Moudgil, Advocate
for the appellant.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The present appeal has been filed against the judgment of conviction and order on quantum of sentence, both dated 25.10.2023, passed by the learned Children Court-cum-Additional Sessions Judge, Fast Track, Special Court, POCSO, Jind in case titled as ***State vs. Sxxx***, arising out of FIR No. 345 dated 14.07.2021, registered under Section 363, 366A, 376(3) of IPC and Section 6 of the POCSO Act and Section 3(2)(v) of the SC/ST Act at Police Station City Jind, District Jind, whereby the appellant was held guilty for commission of offence punishable under Section 363 of IPC and was sentenced to undergo rigorous imprisonment for a period of 02 years and to pay fine of Rs. 2,000/- with default clause.

3. Today, learned counsel for the appellant has made a statement so as not to press the present appeal against the judgment of conviction passed by the trial Court. Learned counsel confines his prayer against the order of sentence only. It is further submitted that appellant is not the previous convict

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nor any other case is pending against him and so looking into these circumstances, the appellant may be sentenced for the period already undergone by him.

4. Learned State Counsel has no serious objection to the aforesaid prayer. He has filed custody certificate, as per which, the appellant has already undergone actual sentence of 03 months and 14 days including period spent by him at Place of Safety, Madhuban, Karnal.

5. After hearing the counsel for the parties, I uphold the judgment of conviction passed by the trial Court as the same is based on appreciation of prosecution evidence, proving guilt of the appellant. However, considering the fact that the appellant has faced the agony of protracted trial and he has already undergone substantive portion of his sentence and is not involved in any other case, which shows that he has improved his character and has joined the mainstream of the society, the order on quantum of sentence dated 25.10.2023 is modified to the extent that the same is reduced to the period already undergone by him. However, the fine imposed upon the appellant is upheld.

6. The appeal stands disposed of. Bail/surety bonds of the appellant be discharged accordingly.

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

22.09.2025*Waseem Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*