



243            IN THE HIGH COURT OF PUNJAB AND HARYANA  
                 AT CHANDIGARH

CRA-S-3869-2024 (O&M)  
DECIDED ON: 15.01.2025

AAKASH @ TINNU

.....APPELLANT

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Balraj Gujjar, Advocate  
          for the appellant.

Mr. Chetan Sharma, DAG, Haryana.

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**SANDEEP MOUDGIL, J (ORAL)**

1.            Though the application seeking suspension of sentence of the applicant/appellant has been listed for hearing today but with the consent of learned counsel for the respective parties, the main appeal i.e. CRA-S-3869-2024, which stands admitted vide order dated 28.11.2024 passed by this Court, is taken on board for final hearing.

2.            The instant appeal has been preferred by accused Aakash @ Tinnu challenging judgment of conviction dated 16.11.2024 and order of sentence dated 18.11.2024 passed by learned Additional Sessions Judge, Sonipat, whereby the appellant-Aakash @ Tinnu has been sentenced to undergo RI for a period of 1 year along-with fine to the tune of Rs.5,000/- and in default thereof, to further undergo RI for a period of two months for commission of offence under Section 25 of Arms Act, 1959 for having conscious possession of country



made pistol.

3. At the very outset, learned counsel for the appellant contends that he does not want to challenge the conviction of the appellant 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.

4. Here it would be pertinent to mention that the appellant 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 appellant is concerned. As such, the conviction of the appellant is upheld.

5. 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 appellant has undergone the actual sentence of 3 months and 20 days out of total substantive sentence of 1 year, as of now, as per the custody certificate of the appellant filed by learned State counsel in Court today. Apart from that there is no body in his family to look after his old aged parents and he is only bread earner in his family. Thus, this court is of the considered view that a chance be given to the appellant to reform & improve himself; to become a good citizen; and to lead a peaceful & harmonious life. Though, it is evident that the appellant is also involved in other two cases under IPC, but in those case he is already on bail.

6. Taking into consideration the above narrated discussion as well as the fact that the appellant 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 fine clause.

7. With the aforesaid modification in the quantum of sentence, the present appeal stands disposed off.

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

9. The criminal misc. application i.e. CRM-48172-2024 seeking suspension of sentence of the applicant/appellant is disposed off, as having been rendered infructuous.

15.01.2025

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(SANDEEP MOUDGIL)  
JUDGE

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*