



321 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2511-2024 (O&M)
DECIDED ON: 16.01.2025

AVTAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The instant criminal revision petition has been preferred by accused Avtar Singh challenging the judgment dated 12.07.2017 passed by learned Judicial Magistrate Ist Class, Hoshiarpur and order dated 30.09.2024 passed by learned Additional Sessions Judge, Hoshiarpur, vide which the revision petition filed by the petitioner has been dismissed and order of conviction of two years and fine of Rs.4000/- was upheld by learned Additional Sessions Judge.

2. 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.

3. 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.

4. 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 24 days out of total substantive sentence of 2 years, as of now, as per the custody certificate of the appellant filed by learned State counsel in Court today. Apart from that the petitioner is a person of clean antecedents. 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.

5. 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 fine clause.

6. With the aforesaid modification in the quantum of sentence, the present criminal revision petition stands disposed off.

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

8. The criminal misc. application i.e. CRM-48857-2024 seeking suspension of sentence of the petitioner is disposed off, as having been rendered infructuous.

(SANDEEP MOUDGIL)
JUDGE

16.01.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No