

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2026:PHHC:055267



201

CRR-133-2021 (O&M)

Date of Decision: 09.04.2026.

Vishal

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Pradeep Chhoker, Advocate
for the petitioner.

Mr. R.K. Singla, Addl., A.G., Haryana.

SUKHVINDER KAUR, J.

1. By way of this revision petition, the petitioner has challenged the judgment dated 23.01.2021 passed by learned Sessions Judge, Panipat, whereby the appeal filed by the petitioner, challenging the judgment of conviction dated 11.06.2019 and order of sentence dated 12.06.2019 passed by learned Principal Magistrate, Juvenile Justice Board, Panipat, in case FIR No.899 dated 13.08.2017, under Section 379-B read with Section 34 of IPC, registered at Police Station City, Panipat was upheld.

2. Brief facts of this case are that on 13.08.2017, a written complaint was moved by the complainant Vats Sharma alleging therein that he was posted as Senior Manager in National Fertilizers Limited, Panipat. He along with his wife had come to the office of Red Cross, Panipat for

some work and when they were going towards the same, suddenly three youths came there while riding a white coloured Apache bike and intercepted the complainant and his wife by stopping their bike in front of them and one of them snatched the gold chain worn by the wife of the complainant. When they raised alarm a big crowd gathered there and those three youths were apprehended at the spot. Accordingly, the present FIR was got registered against the petitioner. During investigation, accused was declared to be child-in-conflict with law. Upon trial, vide judgment of conviction dated 11.06.2019 and order of sentence dated 12.06.2019 passed by learned Principal Magistrate, Juvenile Justice Board, Panipat, the petitioner was convicted and sentenced for two years in Special Home and to pay a fine of Rs.500/- for his involvement under Section 379-B IPC.

3. Aggrieved against the same, the petitioner preferred appeal before the learned Additional Sessions Judge, Panipat, but the judgment of conviction passed by the trial Court was upheld by the said Court and appeal was dismissed.

4. At the very outset, learned counsel for the petitioner has submitted that the judgment of conviction of the petitioner is not being assailed on merit and he restricts his prayer for modification of order on quantum of sentence.

5. Per contra, learned counsel for the state submitted that the well reasoned judgment has been passed by both the Courts below based on correct appreciation of the evidence available on record and the petitioner does not deserve any leniency.

6. Learned counsel for the parties have been heard and the record has been meticulously examined with their able assistance.

7. Since the revisionist/ petitioner has not challenged the judgment of conviction on merits, as such the said issues are not being gone into at this stage and the prayer is restricted to the issue pertaining to sentencing and quantum of punishment.

8. The Hon'ble Supreme Court in **Pramod Kumar Mishra Vs. State of UP (2023) 9 SCC 810**, observed that punishment must not be viewed as an act of vengeance but as a means of reformation and reintegration of the offender into society. It was further held that an appropriate sentence must be determined by considering a range of factors, including the nature and circumstances of the offence, the offender's background, age, mental and emotional condition, potential for rehabilitation, prior criminal record, and the deterrent needs of the community. Sentencing, the Court noted, involves a delicate exercise of judicial discretion where multiple social, psychological, and moral factors must be balanced to ensure that justice serves both societal protection and individual redemption.

9. Hon'ble Supreme Court again reiterated in **Ravada Sasikala v. State of AP reported as AIR 2017 SC 1166**, that law in this regard is well settled that opportunities of reformation must be granted and such discretion is to be exercised by evaluating all attending circumstances of each case by noticing the nature of the crime, the manner in which the crime was committed and the conduct of the accused to strike a balance between the efficacy of law and the chances of reformation of the accused. In order to determine the quantum of sentence, Courts should bear in mind the principle of proportionality as awarding punishment is not merely retributive but also reformatory.

10. The perusal of impugned judgment reveals that there is no perversity and evidence on record has been appreciated in the right perspective, but as observed above, the counsel for the petitioner has not challenged the conviction on substantive grounds while limiting his plea solely to modification of the quantum of sentence to one already undergone.

11. Learned State counsel has produced the custody certificate of the petitioner, as per which the petitioner has already undergone custody of 10 months and 26 days out of awarded substantive sentence of 02 years.

12. Taking into consideration the fact that the petitioner was juvenile at the time of occurrence and is a young boy, who is yet to settle his career; that he had faced the rigors of a long criminal prosecution; that he is the first time offender with no criminal antecedents, in the facts and circumstances of the present case it would be in the interest of justice, if sentence awarded to the petitioner is reduced to the period already undergone by him.

13. Therefore, in view of the discussion above, the present revision is disposed of in the following terms:-

(i) The judgment dated 23.01.2021 passed by the learned Additional Sessions Judge, Panipat is upheld.

(ii) The order of sentence dated 12.06.2019 passed by learned Principal Magistrate, Juvenile Justice Board, Panipat is modified to the extent that the sentence of the petitioner is reduced to the period of sentence already undergone by him.

14. The concerned jail authorities are directed to release the petitioner immediately, if not required in any other case.

15. Pending miscellaneous application(s), if any, shall also stand disposed of.

16. Registry is directed to do the needful.

(SUKHVINDER KAUR)
JUDGE

09.04.2026.

Komal

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