

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

2026 PHHC-066213



CRR-365-2008 (O&M)

Date of Decision: 28.04.2026

SAVINDER SINGH

... PETITIONER

VERSUS

TARLOCHAN SINGH AND OTHERS

... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present- Ms. Shruti, Advocate for
Mrs. G.K.Mann, Senior Advocate for the petitioner.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

1. Present revision has been filed against the judgment of conviction and order of sentence dated 25.05.2007 passed by learned Addl. Sessions Judge, (Fast Track Court), Gurdaspur whereby respondent No.3- Chanchal Singh and respondent No.4-Jasbir Kaur were acquitted while respondent No.1 - Tarlochan Singh and respondent No.2- Iqbal Singh were convicted and sentenced to undergo as under:-

I) Tarlochan Singh

Charge: Under Sections 307/34, 326 IPC

Sentence: To undergo rigorous imprisonment as under:

(a) To undergo RI for a period of seven years and fine of Rs.1000/-, in default of payment of fine, to further undergo rigorous imprisonment for a period of one month under Section 307/34 IPC.

(b) To undergo RI for a period of three years and fine of Rs.1000/-, in default of payment of fine, to further undergo rigorous imprisonment for a period of one month under Section 326 IPC.

Both the sentences were ordered to run concurrently.

II) Iqbal Singh

Charge: Under Sections 307, 326/34 IPC

Sentence: To undergo rigorous imprisonment as under:

(a) To undergo RI for a period of seven years and fine of Rs.1000/-, in default of payment of fine, to further undergo rigorous imprisonment for a period of one month under Section 307 IPC.

(b) To undergo RI for a period of three years and fine of Rs.1000/-, in default of payment of fine, to further undergo rigorous imprisonment for a period of one month under Section 326/34 IPC.

Both the sentences were ordered to run concurrently.

2. The case of the prosecution is that on 13.6.1999 petitioner-complainant Savinder Singh got recorded his statement before the police that he was resident of village Gurdas Nangal and his uncle Chanchal Singh was making Add (Wutt) forcibly in their land and he resisted from the same. At about 9 p.m. he was present in his house and after putting off the clothes for taking bath, he went to shut the the outer gate of his house and outside gate, his uncle Chanchal Singh and Aunt Jasbir Kaur were present and on seeing him, they started giving abuses and the complainant resisted for the same. In the meantime, his wife Gurmeet Kaur and his cousin brother Sewa Singh came there. In the meanwhile accused - Iqbal Singh, armed with Kirpan and accused - Tarlochan Singh, armed with Dattar came there and Jasbir Kaur, mother of the accused raised Lalkara to catch hold of him and to teach him a lesson for restraining them from making the Add (Wutt) in the field. It has been further alleged by the complainant that when he tried to go inside his house then Chanchal Singh gripped over him and accused Iqbal Singh gave three kirpan blows on him which hit head on his head and forehead. Accused Tarlochan Singh gave seven datar blows on him which hit him on his right arm, right

thigh and right shoulder. He fell down on the ground and while he was lying on the ground, Iqbal Singh gave more kirpan blows on him which hit him on the back of neck and on left hand. He also received injuries on the middle and index finger of left hand and this occurrence was witnessed by his wife Gurmeet Kaur and cousin Sewa Singh in electric light. On the statement of the complainant an FIR was registered and Iqbal Singh and Tarlochan Singh were convicted whereas Chanchal Singh and his wife Jasbir Kaur were acquitted by the learned Additional Sessions Judge, Gurdaspur.

3. Learned counsel for the petitioner contends that in the present case eight injuries were declared grievous ones and were caused with sharp edged weapons like kirpan and dattar and out of the grievous injuries, four are on the vital part of the body i.e head, forehead and neck and declared so after obtaining the opinion of the surgical specialist and Radiologist. The injuries were declared dangerous to life. All the accused i.e. respondents No. 1 to 4 have been specifically named by the petitioner. She, thus submits that respondent nos. 3 and 4 be convicted and respondent nos. 1 and 2 are liable to be convicted for life imprisonment instead as they had caused permanent disability to the petitioner.

4. Learned State counsel has affirmed the submissions made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and have gone through the material placed on record.

6. The FIR in the present case pertains to the year 1999 and the respondent No.1 to 4 have faced the ordeal of criminal proceedings for more than two decades. The trial Court, after appreciation of evidence, acquitted respondents No.3 and 4, and no perversity or illegality in the said finding has

been pointed out which would warrant interference by this Court. It is well settled that revisional powers are to be exercised sparingly, particularly against an order of acquittal, unless there is manifest illegality or gross miscarriage of justice.

7. As regards respondents No.1 and 2, although the injuries attributed were serious in nature, the fact cannot be ignored that the incident is very old and the accused have already undergone substantial period of sentence and prolonged mental agony of trial and litigation. The principles governing sentencing require a balanced approach keeping in view the passage of time, nature of offence, and possibility of reformation. It has also been brought to the notice of the Court that during the pendency of the petition, respondent No.1 - Tarlochan Singh has since expired on 20.01.2011. Consequently, the revision qua him stands abated. In the facts and circumstances of the case, no ground is made out for convicting respondent Nos. 3 and 4 and enhancement of sentence to respondent Nos. 1 and 2. Rather, considering the long lapse of time and the overall circumstances, the sentence awarded by the learned trial Court does not call for interference.

8. Accordingly, the present revision petition stands dismissed.

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

28.04.2026

Janki

**(H.S.GREWAL)
JUDGE**

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