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

CRR-1312-2009 (O&M)

Date of Decision: 19.03.2026

Amarjit Kaur

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

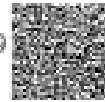
Present : Mr. Jagdeep Bains, Advocate
for the petitioner.

Mr. Bhanu Pratap Singh, Addl. A.G. Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present revision petition against the impugned judgment dated 14.05.2009 passed by the Court of Additional Sessions Judge, Sangrur, whereby the judgment of conviction dated 05.05.2008, passed by the Court of Judicial Magistrate 1st Class, Sangrur, was upheld, however, the order of sentence was modified and the petitioner was sentenced to undergo rigorous imprisonment for six months.

2. The brief facts of the present case are that the petitioner had got registered a case of corruption with P.S. Vigilance Bureau, Patiala against ASI Ajit Singh and HC Hans Raj of P.S. City Lehra, on the ground that they were demanding Rs.3,500/- from her under the threat that in case, she failed to pay said amount, they will implicate her husband Joginder Singh in a false case under the NDPS Act. She also handed over seven currency notes of Rs.500/- each to said police officials. Under the Govt. scheme the petitioner got reward of Rs.25,000/- for getting arrested corrupt police officials. However, during trial,



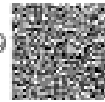
she turned hostile and denied the demand of illegal gratification by ASI Ajit Singh and HC Hans Raj and she also denied that they were got apprehend by her. As such, both the said police officials were acquitted by the Court on 23.12.2002. Then the instant case for offence punishable under Section 420 IPC was registered against the petitioner.

3. After completion of investigation, the challan was presented accordingly. The trial Court found that a *prima facie* case under Section 420 of IPC was made out against the petitioner and charge was ordered to be framed against her to which she pleaded not guilty and claimed trial.

4. In order to prove its case, the prosecution examined eight witnesses, namely, Vijay Bhatia, Junior Assistant, office of Vigilance Bureau, Patiala as PW-1, Parsin Kaur as PW-2, HC Gurbej Singh as PW-3, ASI Davinder Singh, Reader to Joint Director Vigilance Bureau as PW-4, Inspector Rupinder Singh as PW-5, Prem Chand, Peon as PNB Nabha as PW-6, Makal Lalas PW-7 and Ranjit Singh Dhillon, SP Crime Patiala as PW-8 and thereafter, the evidence of the prosecution was closed.

5. After closure of the prosecution evidence, the statement of the petitioner was recorded under Section 313 Cr.P.C. and all the incriminating evidence appearing against the petitioner was put to her, however, she pleaded not guilty and false implication. However, no defence evidence was produced in defence evidence.

6. At the very outset, learned counsel for the petitioner submits that he does not wish to challenge the judgment of conviction passed against the petitioner by the Court, however, some leniency may be shown, while awarding the sentence on her. Even though, learned counsel for the petitioner has not

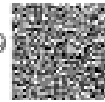


challenged the judgment of conviction, still this Court has considered the case on merits.

7. Learned State counsel contended that the petitioner does not deserve any concession regarding sentence and the present revision petition be dismissed.

8. I have heard learned counsel for the parties and perused the record carefully.

9. To prove the charge against the petitioner, the prosecution examined PW1, Vijay Bhatia, who stated that the bank draft dated 09.04.1999, for an amount of Rs.25,000/- was handed over to the petitioner and receipt in this regard was executed by the petitioner. The photostat copy of the receipt has been proved by PW1, which was filled up by him and thereafter, the receipt was sent to headquarter on 26.05.1999. The prosecution further examined PW2 Parsin Kaur, ASI, who deposed the facts regarding arrest of the petitioner. PW3, HC Gurbej Singh proved the copy of FIR No.18, dated 20.03.1998 of Vigilance Bureau, Patiala as Ex.PA, which was got registered by the petitioner against the police officials. PW-4, ASI Davinder Singh took the pass-book of account No. 3579 from the possession of the petitioner and the same was taken into possession, vide memo (Ex.PB). PW5 Inspector Rupinder Kumar stated that the petitioner got a case registered against ASI Ajit Singh and HC Hansraj on the ground that the accused had demanded Rs.5,000/- from her husband, Joginder Singh by stating that in case, the money was not paid to them, they would plant a case under NDPS Act against Joginder Singh. He reiterated the version, as mentioned in the FIR in the present case. PW6, Prem Chand proved the pass book (Ex.PB) and stated that the cheque for a sum of Rs.25,000 was deposited



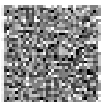
in the State Bank of Patiala, Sangrur for clearance and it was passed and the amount was deposited in the saving account of the accused.

10 From the statements made by aforesaid prosecution witnesses, it was apparent that the prosecution had fully proved the case against the petitioner and she was rightly convicted by both the Courts, for the commission of offence punishable under Section 420 IPC.

11. Now, advertng to the order of quantum of sentence, this Court cannot over look the fact that the petitioner is facing the prosecution since 23.03.2003 i.e. for the last about 23 years. Even as per the judgment passed by the trial Court, she was aged 52 years as on 05.05.2008. Consequently, at present, she is aged about 70 years. Moreover, the petitioner has already undergone 21 days of actual custody, out of total sentence of 06 months. Still further, the sentence imposed on the petitioner was suspended by this Court on 30.05.2009 and in the last more than 16 years, she was not involved in any other criminal activity. Thus, keeping in view the mitigating circumstances of the present case, this Court is of the considered opinion that a lenient view can be taken while imposing sentence on the petitioner. Thus, the sentence imposed on the petitioner is reduced to the period already undergone by her. However, the amount of fine imposed on her shall remain same.

12. With the above modifications, the present revision petition is partly allowed and the judgment of conviction is upheld, whereas, the sentence imposed on the petitioner is reduced to the period already undergone by her and the amount of fine imposed on her shall remain same.

13. Pending applications, if any, stand also disposed of, accordingly.



14. The case property, if any, may be dealt with as per the rules.

19.03.2026
hemlata

(N.S.SHEKHAWAT)
JUDGE

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