

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1021-2010 (O&M)
Date of Decision:23.03.2026

Ranjit Kaur @ Manjit Kaur @ Rani ...Petitioner

vs.

State of Punjab ...Respondent

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

Present : Mr. Sandeep Arora, 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 07.11.2009 passed by the Court of Additional Sessions Judge, Jalandhar and the judgment of conviction and order of sentence dated 20.12.2007 passed by the Court of Judicial Magistrate 1st Class, Jalandhar, whereby, the petitioner was convicted for the commission of offences punishable under Sections 380, 424, 511 of IPC and was sentenced as under:-

Under Section 380/511 IPC	RI for a period of one year and to pay a fine of Rs.2000/- and in default of payment of fine, to further undergo RI for two months.
Under Section 424/511 IPC	RI for a period of six months and to pay a fine of Rs.1000/- and in default of payment of fine, to further undergo RI for one month.

2. The brief facts of the case are that on 06.08.2004, ASI Amrinder Singh received secret information that many people were gathered at the shop



of M/s Om Jewellers, near Kala Bazaar. He went there. Davinder Kumar, owner of M/s Om Jewellers met him there and disclosed that on 06.08.2004 at 2.30 p.m. when he was sitting in his shop along with his Accountant Anil Kumar, accused Manjit Kaur entered the shop and asked for the presentation of gold chains in order to purchase. Four boxes containing gold chains were laid before her for selection. The said lady selected three gold chains and asked him to weigh them. When he i.e. Davinder Kumar diverted his attention towards the weighment of the said chains, she tried to take out two gold chains from the remaining boxes and also tried to put two artificial gold chains in their place. The attention of the complainant was immediately diverted towards her. She became perplexed and thus, was apprehended at the spot. Two artificial gold chains, which she tried to replace with original gold chains of the complainant were also taken into possession from her. After recording such statement of Davinder Kumar, ASI Arminder Singh sent ruqa to the Police Station on the basis of which FIR under Sections 420, 380 and 511 of the Indian Penal Code was registered against the accused. The accused was arrested on the spot. He also took into possession artificial gold chains by preparing separate recovery memo. One purse containing artificial Karra and bangles and amount of Rs. 30/- were recovered from the personal search of the accused. They were also taken into possession vide a separate recovery memo. Statements of the witnesses were recorded. ASI Arminder Singh prepared a site plan of the place of theft/ occurrence and on return to the police station, he deposited the material with the MHC. After completion of entire investigation, the accused was challaned to face trial under Section 420, 380 and 511 of the Indian Penal Code.



3. After presentation of challan, the trial Court found that a *prima facie* case under Sections 380 and 424 of the IPC was made out against the petitioner and she was charge-sheeted, accordingly. However, she pleaded not guilty and claimed trial.

4. During the course of trial, the prosecution examined PW-1 Davinder Kumar, complainant and PW-2 Anil Kumar, eye-witness of the theft/occurrence. The prosecution further examined ASI Arminder Singh as PW-3, who was the Investigating Officer of the case and exhibited the following documents:-

1	Ex.PA	Recovery memo regarding artificial Chakka
2.	EX.PB	Statement of complainant
3.	Ex.PB/1	Ruqa
4.	Ex.PC	Receipt regarding weight of gold chain
5.	Ex.PD	Receipt regarding weight of gold chain
6.	Ex.PE	Recovery regarding artificial Bangles
7.	Ex.PF	FIR
8.	Ex. PG	Site plan of the place of recovery

5. After closure of the evidence of prosecution, the statement of the accused under Section 313 Cr.P.C. was recorded and all the incriminating evidence appeared in the evidence of prosecution was put to the accused. However, she stated that she was falsely involved in the present case and was innocent. The petitioner chose not to lead any defence evidence.

6. At the very outset, learned counsel for the petitioner submits that he does not wish to challenge the judgments of conviction, however, some leniency may be shown towards her, while awarding the sentence to her. Even



though, the petitioner has not challenged the judgment of conviction, still, this Court has examined 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. In the present case to substantiate the charge, the prosecution examined PW1, Davinder Kumar, the complainant, who supported the case of the prosecution in totality. PW2, Anil Kumar also stated that he was working as an Accountant in the shop of complainant i.e. PW-1, Davinder Kumar and he supported the testimony of PW-1. The prosecution thereafter examined PW-3, ASI Amrinder Singh, IO of the case, who stated that on 06.08.2004, when he was posted in P.S. Division No. 2 and in connection of patrolling when he reached near M/s Om Jewellers, Kala Bazaar, then complainant Davinder Kumar has got recorded his statement (Ex. PB) and he also proved endorsement made by him (Ex. PB/1) and FIR (Ex. PF) and site plan (Ex. PG). PW3 stated that the complainant produced two artificial chains, which were taken into possession by him, vide memo (Ex. PA) and upon which Davinder Kumar and Anil Kumar signed as a witness. PW3 ASI Arminder Singh further stated that personal search of the accused was conducted by lady constable Gurpal Kaur and from the purpose hold by the accused in her hand, two karras and four bangles artificial, currency notes of Rs. 30/- were taken into possession, vide memo (Ex. PE). The said memo was witnessed by Anil Kumar and Lady

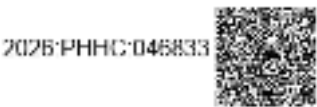


Constable Gurpal Kaur. He also proved arrest memo of accused (Ex. PH) and also proved the case property produced in the Court.

10. From the statements of all the aforesaid witnesses, it was apparent that on 06.08.2004, the petitioner had committed theft of gold chains from the shop of PW1, Davinder Kumar, who had fully proved the case of the prosecution. Even all the three witnesses were cross-examined at length, still, the testimonies could not be shattered in any manner. Thus, both the Courts have rightly convicted the petitioner for commission of the offences punishable under Sections 380, 424, 511 of IPC. Even otherwise, I have gone through the judgments passed by both the Courts and find no infirmity or illegality in the impugned judgments.

11. Now adverting to the order on quantum of sentence, this Court cannot lose sight of the fact that the petitioner is facing the agony of trial/appeal/revision, since 05.10.2004 i.e. for the last more than 22 years. Moreover, the petitioner is the first offender and has already undergone 01 month and 13 days of actual sentence, out of total sentence of 01 years. Further, the sentence imposed on the petitioner was suspended by this Court on 28.04.2010 and in the last more than 15 years, the petitioner has maintained good conduct. Thus, keeping in view the mitigating circumstances, this Court is of the considered opinion that a lenient view can be taken while imposing sentence on the petitioner. 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 impugned 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 disposed of, accordingly.

23.03.2026
hemlata

(N.S.SHEKHAWAT)
JUDGE

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