



CRR-1994-2010

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

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**CRR-1994-2010 (O&M)
Date of Decision: 01.05.2026**

Jafru and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI**Present:** Mr. R.K.Lamba, Advocate for the petitioners.

Ms. Shubhra Singh, Addl.A.G, Haryana.

RAMESH CHANDER DIMRI, J.(Oral)

1. An FIR No. 878 dated 18.07.1998 was registered under Sections 457/380 of the Indian Penal Code, 1860 (for brevity “1860 Code”) at Police Station Central Faridabad. Allegations in the same were that a theft had taken place during night time in the shop of the complainant resulting into loss of lakhs of rupees. During investigation, the accused were apprehended and some medicines stolen from the shop of the complainant were recovered from them. On completion of investigation, a final report under Section 173 of the Code of Criminal Procedure, 1973 (for brevity “1973 Code”) was filed against them under Section 411 of the 1860 Code. They were accordingly tried by the concerned Magistrate in consequence to a charge-sheet dated 25.09.2008 framed under the said Section. On conclusion of trial, the concerned Magistrate, through a judgment dated 24.09.2009, convicted both of them under the said Section and through an order dated 30.09.2009 sentenced them to undergo simple imprisonment for



two years each and to pay a fine of Rs.1000/- each. In default of payment of fine, they were directed to undergo simple imprisonment for a further period of 15 days. They challenged the said judgment and order in appeal. Through a judgment dated 05.07.2010, their appeal was dismissed. They are now in revision.

2. As recorded by the concerned Magistrate, fine imposed upon them had been paid on 30.09.2009 itself.

3. I have heard learned counsel for the parties. With their able assistance, I have perused the paper-book.

4. The learned counsel for the petitioners states that he and his clients do not challenge the impugned judgment/s of conviction passed against the petitioners but leniency may be shown to them in the matter of imposition of sentence. He also states that the petitioner No.1-Jafu has already undergone a period of 7 months and 12 days in prison whereas the petitioner No.2-Arif has undergone 5 months and 4 days.

5. On the other hand, learned State counsel has defended the impugned judgment/s and order.

6. After such hearing and perusal, since the petitioners do not now challenge the impugned judgment/s dated 05.07.2010 and 24.09.2009, the same are confirmed. However, so far as imposition of sentence upon the petitioners is concerned, the prosecution says that some medicines were recovered at their instance. Value of the said medicines has not been brought on record. The petitioners have already undergone the above stated periods of imprisonment. No other case stands registered against them. They are stated to have already paid the imposed fine. More than 27 years have elapsed after registration of the FIR.

7. In view thereof, the sentence imposed upon the petitioners is



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reduced to the period already undergone. Impugned order of sentence is modified accordingly. The present petition is disposed of in the above stated terms.

8. Pending application(s), if any, is/are also disposed of.

01.05.2026
Rajeev (rvs)

(RAMESH CHANDER DIMRI)
JUDGE

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