



217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2002-2010 (O&M)
Date of Decision: 21.04.2026

Mukand Singh ...Petitioner

VS.

State of Punjab ...Respondent

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

Present : Mr. Sanjay Kaushal, Advocate,
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present revision petition against the impugned judgment dated 13.07.2010 passed by the Court of Additional Sessions Judge, Ludhiana and the judgment of conviction and order of sentence dated 11.11.2006 passed by the Court of Judicial Magistrate 1st Class, Ludhiana, whereby the petitioner was convicted for the commission of offences punishable under Sections 420 and 506 of IPC and was sentenced as under:-

Under Section	Imprisonment
420 of IPC	RI for one year
506 of IPC	RI for three months with a fine of Rs.200/- and in default of payment of fine, to further undergo RI for 07 days.

2. The brief facts of the present case are that an application has been received on 28.05.1998, which was addressed to the Deputy Superintendent of Police, Dakha and subject to which was complaint regarding cheating and for



causing criminal intimidation. It has been mentioned in the application by the applicant Mandeep Singh s/o Darshan Singh son of Dalip Singh, resident of village Nathu Majra, at present resident of Dehlon, that his grandfather has executed a Will in favour of his father Darshan Singh. After the death of his grandfather, his two aunts (Bhua) challenged the Will and in which the Court of SDM, Malerkotla decided against his father. His father has filed an appeal against the order of the SDM, Malerkotla in the Court of Deputy Commissioner, Sangrur and case was transferred to ADC, Sangrur. He himself went with his father, who was living at village Nathu Majra, to pursue the above stated case. His grandfather (Nana) Sajjan Singh, resident of Dehlon is having friendly relations with Mukand Singh son of Chanan Singh and abovestated Mukand Singh occasionally came to his maternal parents house. One day, he was discussing with regard to the above noted case with his uncle (Mama) then Mukand Singh also came there. He heard their discussions. He stated that Sadhu Singh Ghudani, MLA is his relative and he would help them in got doing their work. He asked them to arrange Rs.50,000/- for it. After that Mukand Singh went several times with him in the Court of ADC, Sangrur and seeing no other alternative, he discussed the matter with his uncle (Mama) and aunts (Massis) and decided to give the money to Mukand Singh. On 15.7.1997, he has withdrawn Rs.6000/- from his saving account in State Bank of Patiala, Branch, Kup Kalan and kept it with his grandfather. On 16.7.1997 his aunt Balbir Kaur, who has come to Dehlon for this purpose has withdrawn Rs.20,000/- (twenty thousand) from his FDR amount of Punjab and Sind Bank Branch, Dehlon and kept it in his maternal parents home. On 16.7.1997, at



about 5 PM, his aunt Balbir Kaur, Rupinder Kaur (Massis) and uncle Balwinder Singh @ Billu and Kishan Lal, Member Panchayat, who used to take milk from his maternal parents came to take milk and Mukand Singh also came there and he handed over Rs.26,000/- to him for getting his work done. After counting it in the presence of his aunts Balbir Kaur, Rupinder Kaur, Krishan Lal and his uncle Balwinder Singh @ Billu, Mukand Singh asked them to arrange Rs.4,000/-and also asked that he would take remaining Rs.20,000/- after the work. Then his aunt Rupinder Kaur gave Rs.4,000/- to Mukand Singh in the presence of the above said persons and Mukand Singh went away after taking Rs.30,000/- with him. But the above stated Mukand Singh did not get the work done, even after the passing of three months, he alongwith Kishan Singh and uncle Balwinder Singh @ Billu and Inderjit Singh, Member Panchayat, Dehlon went to the house of Mukand Singh to discuss the above stated matter but Mukand Singh in the above said persons, stated that he is not given any money to him and hurled abuses to him. His maternal uncle Balwinder Singh @ Billu and member Panchayat Kishan Singh and Inderjit Singh persuading him to come back to his house. The above said Mukand Singh has cheated him and he has threatened him and action should be taken against him. On receiving it, Deputy Superintendent of Police Dakha conducted an inquiry and on the opinion of the DA Legal case U/s 406/417/506 IPC has been registered against the accused. Accused has been arrested in the present case. After the completion of the investigation, challan was presented before the Court.

3. After presentation of challan, the trial Court found that a *prima facie* case under Sections 420 and 506 of IPC was made out against the



petitioner and he was charge-sheeted accordingly. He pleaded not guilty and claimed trial.

4. In order to prove its case, the prosecution examined PW-1 Mandeep Singh, PW-2 Balwinder Singh, PW-4 Rupinder Kaur, PW-4 R.K. Gupta, PW-5 Inderjit Singh, PW-65 Raghbir Singh, PW-7 Nirmal Singh and thereafter, the evidence of the prosecution was closed.

5. After closure of the prosecution evidence, the statement of the accused under Section 313 Cr.P.C. was recorded and all the incriminating evidence was put to him. He pleaded innocence and claimed trial. In defence, the accused examined DW-1 Kishan Singh Pargana, Clerk, Judicial record room, Ludhiana and thereafter, the defence evidence was closed by order.

6. At the very outset, learned counsel for the petitioner submits that he does not wish to challenge the judgments of convictions passed against the petitioner by both the Courts, however, some leniency may be shown, while awarding the sentence on him. Even though, learned counsel for the petitioner has not challenged the judgments of convictions, still this Court has examined the entire case on merits in the light of the evidence led by the prosecution.

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, the complainant, Mandeep Singh was examined as PW1 and he had proved the case of the prosecution. PW6 proved



the documents (Ex.PW6/A to Ex.PW6/C), which proved that the complainant had withdrawn a sum of Rs.6000/- from State Bank of Patiala, Kup Kalan. Even R.K. Gupta, Branch Manager, State Bank of Patiala, Kup Kalan was examined as PW-4, who proved the copy of ledger (Ex.PW4/1), vide which an amount of Rs.6000/- was withdrawn by Mandeep Singh, complainant. Their statements have been duly corroborated by the statement of PW-4 Rupinder Kaur. Still further, there was no motive on the part of the complainant side to implicate the petitioner in a false criminal case. Even a false defence was raised by the petitioner, in order to fill the lacuna in the case of the prosecution. Even otherwise, I have carefully perused the judgments of convictions passed by both the Courts and I find no infirmity, illegality or irregularity in the impugned judgments.

10. Now, advertent to the order on quantum of sentence, this Court is conscious of the fact that the petitioner is facing agony of trial/appeal/revision since 28.05.1998 i.e. for the last more than 27 years. Even at present, the petitioner is aged about 76 years and is suffering from old age diseases. The petitioner has already undergone 02 months and 22 days of actual custody, out of total sentence of one year and is the first offender. Even the sentence imposed on the petitioner was suspended by this Court on 01.10.2010 and since then, he had maintained good conduct. 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 him and the amount of fine imposed on him shall remain same.



11. With the above modifications, the present revision petition is partly allowed and the impugned judgments of convictions are upheld, whereas, the sentence imposed on the petitioner is reduced to the period already undergone by him. However, the amount of fine imposed on him shall remain same.

12. Pending application, if any, also stands disposed of, accordingly.

(N.S.SHEKHAWAT)
JUDGE

21.04.2026

hemlata

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