

2026.PHHC.076030



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

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CRR 1243 of 2012 (O&M)

Date of Decision: 11.05.2026

Sukhraj Singh

...Petitioner (s)

Vs.

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr.Kulbhushan Raheja, 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 of conviction dated 19.04.2012 passed by the learned Additional Sessions Judge, Patiala, whereby the judgment of conviction dated 07.03.2011 passed by the learned Chief Judicial Magistrate, Patiala, was upheld. However, the order of sentence dated 07.03.2011 was modified to the extent that the sentence awarded under Section 420 IPC was reduced to rigorous imprisonment for a period of one year from two years. The petitioner was further directed to undergo rigorous imprisonment for a period of one year under Section 471 IPC. The amount of fine imposed by the learned trial Court was maintained and in default of payment of fine, the petitioner was directed to undergo the default sentence as awarded by the learned trial Court.

2. The allegations against the petitioner are that the petitioner was appointed as Special Police Officer in GRP on 20.08.1994 on daily wages and, thereafter, vide letter ADGP/PAP Jalandhar Cantt No.93-122/CBPC dated 03.01.2000, he was selected as constable in IRB and vide order No.1805-37/OHC dated 10.03.2000. He was allotted constable No.468 by DIG Police station IRB and his record was sent to the office of IGP/IRB, Patiala for verification. It is alleged that it was reported by the office of ADGP/PAP, Jalandhar that from the file of petitioner, it had been found that at the time of being selected as SPO, the petitioner had shown his date of birth as 01.01.1974 on the basis of which he was selected as SPO on 30.08.1994 and at that time his age was 20 years 7 months and 29 days but at the time of being enrolled as constable, the petitioner had submitted the duplicate certificate showing his date of birth 01.01.1977. It was alleged that date of birth was got verified from the Secretary, Punjab School Education Board, Mohali who had verified vide his letter No.5088 dated 30.08.2000 that actual date of birth was 01.01.1977. It was alleged that if it is correct, the petitioner was not entitled to be recruited as SPO on 30.08.1992 as he was under age. So, the petitioner had tempered with the date of birth so as to get himself enrolled as SPO. On these allegations, the present case against the petitioner was registered and after completion of investigation *challan* was presented in the court.

3. After the presentation of *challan*, the petitioner was charge-sheeted for the offences punishable under Sections 420, 467 and 471 of IPC, to which, he pleaded not guilty and claimed trial.

4. In order to prove its case, the prosecution examined 09 witnesses. Thereafter, evidence of the prosecution was closed.

5. After closure of the evidence, the statement of the petitioner was recorded under Section 313 Cr.P.C. and he denied all the incriminating evidence put to him and stated that he has been falsely involved in the present case. No evidence was led in defence.

6. At the very outset, learned counsel for the petitioner submits that he does not wish to challenge the judgement of conviction passed against the petitioner by the trial Court, however, some leniency may be shown while awarding the sentence to him. Even though, learned counsel for the petitioner has not challenged the judgements of conviction, still, this Court has considered the case on merits.

7. Learned State counsel submits that the petitioner does not deserve the 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 prosecution examined PW1 SI Nazar Singh, who recorded the statements of various witnesses in the present case and submitted that after completion of investigation, *challan* was filed by Inspector Gurpreet Singh. Rajive Walia, Senior Assistant, Punjab School Education Board, Mohali, was examined as

PW2, who deposed that a letter had been received from DIG, IRB, Patiala addressed to the Secretary, Punjab School Education Board, seeking verification of certificate bearing Roll No.133229 for March, 1993, wherein the date of birth of Sukhraj Singh son of Piara Singh had been mentioned as 01.01.1974. The witness stated that upon verification from the original gazette, the actual date of birth of Sukhraj Singh son of Piara Singh bearing Roll No.133229 was found to be 01.01.1977. He proved the attested copy of the gazette as Ex.PW2/A and copy of the letter as Ex.PW2/B. The witness further deposed that he had seen the copy of matriculation certificate bearing Roll No.133229 for March, 1993 in the name of Sukhraj Singh son of Piara Singh, bearing signatures of Jagjit Singh Sidhu, Secretary, Punjab School Education Board, Mohali, wherein there was cutting in the date of birth changing the same from 01.01.1977 to 01.01.1974. The copy of the certificate was proved as Ex.PW2/C and the cuttings were marked as Mark-X and Mark-X1. He further stated that similar cutting was also found in the detail marks card issued by the Board wherein the date of birth had been mentioned as 01.01.1973. The copy of the detail marks card was proved as Ex.PW2/D. He further deposed that the original documents had been sent to the school and delivered to the student concerned. He also stated that Sukhraj Singh had subsequently obtained a duplicate certificate from the Punjab School Education Board, Mohali on 30.05.2000 bearing the same Roll No.133229, wherein the date of birth was recorded as 01.01.1977. The witness identified the signatures of Labh Singh, Assistant, on the certificate and proved the photocopy of the same as

Ex.PW2/E. He further proved the duplicate detail marks card pertaining to March, 1993, bearing signatures of Labh Singh, Assistant, as Ex.PW2/F and stated that no date of birth was mentioned. The prosecution further examined HC Rajinder Singh as PW3, who also supported the case of the prosecution. He handed over the original application Ex. PW3/A and Ex. PW3/B to ASI Vinod Kumar, who had taken it into possession by Ex. PW3/C. PW4 ASI Ashok Kumar also proved the official record in the present case and he also found cutting in the record in the present case. PW5 ASI Vinod Kumar had arrested petitioner Sukhraj singh and prepared his personal search memo as Ex.PW5/A. SI Malkiat Singh was examined as PW6 and he had supported the statement of the complainant. Constable Urvinder Singh appeared as PW7 and he had handed over the documents for FSL examination and had obtained the receipt from FSL Chandigarh. He further submitted that there was no cutting in the official record and there was no tampering as well. PW8 Vijay Kumar Sharma, Clerk, DAV Senior Secondary School, Muktsar appeared as PW8, who stated that there was tampering with the official record in the present case. SI Paramjit Singh PW9 also produced certain record and handed over the documents to the police. From the testimonies of aforesaid prosecution witnesses, it was proved that the prosecution had been successful in proving charge under Sections 420 and 471 against the present petitioner. Even otherwise, I have carefully gone through the judgments passed by the learned trial Court and find that the same do not suffer

from any infirmity, illegality, or perversity. Accordingly, the impugned judgment of convictions are ordered to be upheld.

10. 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 since 19.01.2001, i.e., for the last more than 25 years. The sentence imposed on the petitioner was suspended by this Court on 26.04.2012 and in the last more than 14 years, he had maintained good conduct and has not misused the concession of suspension of sentence in any manner. Consequently, keeping in view the aforesaid mitigating circumstances, the sentence imposed on the petitioner is reduced to the period already undergone by him.

11. With the above modifications, the present revision petition is partly allowed and he impugned judgment of conviction dated 19.04.2012 passed by the learned Additional Sessions Judge, Patiala, is upheld, whereas, the sentence imposed on the petitioner is reduced to the period already undergone by him. However, the sentence of fine will remain the same.

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

11.05.2026
amit rana

(N.S.SHEKHAWAT)
JUDGE

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