



220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-662-2011(O&M)
Date of Decision: 17.03.2026

Karnail Singh ...Petitioner

vs.

State of Punjab ...Respondent

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

Present : Mr. Gautam Kumar, Advocate for
Mr. Satnam Singh Gill, 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 26.02.2011 passed by the Additional Sessions Judge, (Fast Track Court), Patiala and the judgment of conviction and order of sentence dated 13.08.2008 passed by the Court of Judicial Magistrate 1st Class, Patiala, whereby the petitioner was convicted for commission of the offences punishable under Sections 468 and 471 of IPC and was sentenced as under:-

Under Section 468 IPC	Rigorous imprisonment for a period of 02 years and to pay a fine of Rs.1,000/- and in default of payment of fine, to further undergo RI for 15 days.
Under Section 471 IPC	Rigorous imprisonment for a period of 02 years and to pay a fine of Rs.1,000/- and in default of payment of fine, to further undergo RI for 15 days.



2. The brief facts of the present case are that a letter dated 17.8.2001 from the office of SSP, Patiala to register a case against Constable Karnail Singh, 1615 was received. The allegations against him were mentioned that said Constable Karnail Singh (present accused) in his appeal before the higher police authorities, detailed the dates of death of Amar Singh (father) and Gulabo Devi (mother) of 24.10.1999 and 09.11.1999. Accordingly, it was directed to get the verification of death certificates furnished by him and to register a case, if the documents/certificates regarding their death found false. Accordingly, it was directed to verify their dates of death. The necessary reports were collected from the office of Registrar, Birth and Death and statements of co-villagers of his parents and even brothers of accused were recorded. The prosecution concluded that in fact that Amar Singh died on 4.2.1994, whereas Gulabo Devi died on 20.2.1994. It was further concluded that accused Karnail Singh to save himself regarding his enquiry proceedings forged and fabricated the death certificates of his parents. He first got prepared the photo copies of original certificates and thereafter, changed the dates and number thereon and furnished the same in his pending enquiry. Accordingly, the case was registered for the offences punishable under Sections 468/471 of Indian Penal Code. On conclusion of investigation against him, he was challaned for the offences punishable under Sections 468/471 of Indian Penal Code.

3. After the presentation of challan, the petitioner was charge-sheeted for the offences punishable under Sections 468 and 471 of IPC and he pleaded not guilty and claimed trial.

4. In order to prove the charge, the prosecution examined 07 witnesses, namely, PW-1 Rajiv Kumar, PW-2 Krishan Kumar, Inspector, PW-3



Tara Chand, PW-4 HC Gurmit Singh, PW-5 Dr. Umesh Lamba, PW-6 Amrik Singh and PW-7 Prem Singh and thereafter, the evidence was closed by the Court order.

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. In defence, the petitioner did not lead any evidence.

6. At the very outset, learned counsel for the petitioner submits that he does not wish to challenge the judgments of conviction 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 conviction, still this Court has considered the case on merits.

7. Learned State counsel contended 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, PW-1 Rajiv Kumar, Senior Assistant, DIG Range, Patiala proved the copy of the appeal in original, filed by the petitioner before Deputy Inspector General of Police, Patiala Range, Patiala and exhibited it as Ex.PA. The appeal was rejected and thereafter, a letter dated 27.03.2001 was addressed to SSP to enquire into the matter that is regarding the dates of death of his parents. PW2, Krishan Kumar, Inspector, investigated the matter and proved on record the letter (Ex.PB), whereby he was directed to enquire the



dates of death of parents of the petitioner and check the genuineness of their death certificates, which was submitted by the petitioner. Tara Chand was examined as PW3, who submitted that Amar Singh had expired on 04.02.1994 and the date of registration was 13.02.1994. Similarly, Gulabo Devi had expired on 20.02.1994 and her date of registration of death was 27.02.1994. Similarly, PW4, HC Gurmit Singh was conducted the investigation for some time and he had proved on record the arrest memo of the accused (Ex.PW4/A) and personal search memo (Ex.PW4/B). PW5, Dr. Umesh Bhalla produced the record regarding the dates of death of Amar Singh and Gulabo Devi. PW-6, Amrik Singh is the member of Gram Panchayat and again proved the dates of death of Gulabo Devi and Amar Singh.

10. From the prosecution evidence placed on record before the trial Court, it was apparent that the dates of death of Amar Singh (father of the petitioner) and Gulabo Devi (mother of the petitioner) were wrongly mentioned and the certificates regarding their death were found to be false and accordingly, the petitioner was rightly convicted for the offences punishable under Sections 468, 471 IPC.

11. Now, adverting to the order of sentence, this Court is conscious of the fact that the petitioner is facing the agony of trial/appeal/revision, since 20.08.2001 i.e. for the last more than 24 years. Even out of total sentence of 01 year, the petitioner has undergone about 03 months of actual sentence. Moreover, the sentence imposed on the petitioner was suspended on 26.05.2011 and since then, he has maintained good conduct and was not involved in any other crime. Even he has lost his job due to his conviction. However, 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 him. However, the amount of fine imposed on him 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 him and the amount of fine imposed on him shall remain same.

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

(N.S.SHEKHAWAT)
JUDGE

17.03.2026
hemlata

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