



238 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2546-2012 (O&M)
Date of Decision:07.04.2026

Harjit Singh ...Petitioner

VS.

State of Punjab ...Respondent

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

Present : Mr. Sandeep Chopra, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present revision petition against the impugned judgment of conviction dated and order of sentence dated 16.08.2012 passed by the Court of Additional Sessions Judge, Patiala, whereby, the petitioner was convicted for the commission of offence punishable under Section 420 of IPC and was sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.1,000/- alongwith default stipulation.

2. The brief facts of the case are that the case was registered on the complaint of Banarsi Dass, DSP, Vigilance Bureau, Patiala. The allegations against the accused are that at the instance of accused one criminal case u/s 7, 12 (2) of Prevention of Corruption Act, 1988, vide FIR No. 7 dated 6.3.2000 was registered at P.S. Vigilance Bureau, Patiala against Sukhpreet Singh, Line man, Cantt. Sub Division PSEB, Patiala. The allegations was that the electric meter of the present accused, which was installed in his workshop, was



uninstalled by Sukhpreet Singh, lineman for non-deposit of bill. However, despite of the fact that the bill was deposited, said Sukhpreet Singh demanded Rs.300/- for re-affixing the meter. On the complaint of present accused, the said line man was caught red handed while accepting the bribe and was put to trial before special Judge, Patiala.

3. It is alleged that during the pendency of said proceedings, Harjit Singh present accused, resiled from his statement. He had received Rs.25,000/- vide bank draft No. 086652 dated 7.3.2001 as per the Punjab Govt. scheme announced for giving prize to the person, who catches a government official by receiving bribe. As a result of resiling by the present accused, said Sukhpreet Singh, line man, was acquitted of the charges by the Special Judge, Patiala. It is alleged that by resiling from earlier statement, the present accused has dishonestly received the prize money and dishonestly resiled from his initial statement. So on these allegation, the case under Section 420 IPC was registered against the accused. Accused was arrested and released on bail. After completion of investigation, challan was presented in the Court.

4. On finding a *prima facie* case against the petitioner, he was charge-sheeted for the commission of offence punishable under Section 420 of IPC, to which, he pleaded not guilty and claimed trial.

5. In order to prove its case, the prosecution examined Vijay Bhatia, Clerk Office of SSP Vigilance Bureau, Patiala as PW-1, Joginder Singh, record clerk, SBOP as PW-2, HC Gurbhej Singh as PW-3, DSP Banarsi Dass as PW-4, DSP Gurcharan Singh Bedi, as PW-5, Mandeep Singh as PW-6 and Sneh Lata,



LRC of Session Court, Patiala as PW-7 and thereafter, the prosecution evidence was closed.

6. After closure of the prosecution evidence, the statement of the petitioner under Section 313 Cr.P.C. was recorded and all the incriminating circumstances were put to him. However, he denied all allegations and pleaded false implication in the present case. The petitioner chose not to lead any defence evidence.

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

8. Learned State counsel contended that the petitioner does not deserve any concession regarding sentence and the present revision petition be dismissed.

9. I have heard learned counsel for the parties and perused the record carefully.

10. In the present case, Harjit Singh, Investigating Officer was examined as a prosecution witness. Still further, he stated that on 06.03.2000, the petitioner fraudulently induced the Vigilance Bureau that accused Sukhpreet Singh, Lineman had demanded bribe of Rs.300/- from him and on his statement, FIR No. 7 dated 6.3.2000 under Sections 7, 13 (2) of the Prevention of Corruption Act was registered. A trap was laid in accordance with the law.



Sukhpreet Singh, Lineman was caught red handed while accepting the bribe. Thereafter, with the same fraudulent intention, accused Harjit Singh induced the Punjab Govt. to pay him reward of Rs.25,000/-. Having received the sum of Rs. 25,000/- as reward amount with a fraudulent intention, Harjit Singh thereafter resiled from his initial statement on trial conducted against Sukhpreet Singh, Lineman, which led to his acquittal. He deliberately turned hostile with the wrongful intention of securing the acquittal against accused Sukhpreet Singh. He fraudulently resiled from his statement, despite the fact that on the basis of that statement furnished to the police at the stage of investigation, he had accepted the reward of Rs.25,000/- from the Govt. for trapping Sukhpreet Singh, Lineman. Dishonest intention on the part of Harjit Singh from the very beginning was writ at large on the record. In this manner, the offence of cheating was duly proved on the record. Still further, his testimony had been fully corroborated by other witnesses in the present case. Even otherwise, I have gone through the judgment passed by the appellate Court and finds no infirmity or illegality in the impugned judgment.

11. Now adverting to the order on quantum of sentence, this Court cannot lose sight of the fact that the petitioner is facing the prosecution in the present case since 14.11.2003 i.e. for the last more than 22 years. Further, the sentence imposed on the petitioner was suspended by this Court on 21.09.2012 and in the last more than 14 years, the petitioner has maintained good conduct and he is only bread earner of his family. Even otherwise, he has already undergone 01 month and 06 days of actual custody, out of total sentence of one year. 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 him. However, the sentence of fine as imposed upon the petitioner is increased from Rs.1,000/- to Rs.1,00,000/-, which shall be deposited by him before the concerned Court, within a period of 04 weeks from the date of receipt of certified copy of this case. It is made clear that in case, the enhanced fine is not deposited within the aforesaid period of four weeks as per this order, the present order reducing the sentence of the petitioner to the period already undergone, shall automatically stand vacated and in that eventuality, the petitioner will have to undergo the actual sentence of 01 year apart from the sentence of default imposed by the concerned Court.

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 sentence of fine as imposed upon the petitioner is increased from Rs.1,000/- to Rs. 1,00,000/-, which shall be deposited by him before the concerned Court, within a period of 04 weeks from the date of receipt of certified copy of this order.

14. Pending applications, if any, stand disposed of, accordingly.

(N.S.SHEKHAWAT)
JUDGE

07.04.2026
hemlata

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