



229

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2590-2012
Date of Decision:24.03.2026

Sampuran Singh and Others ...Petitioners
Vs.
State of Punjab ...Respondent

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

Present: Mr. Vipin Mahajan, Sr.Advocate with
Ms. Chandanpreet Kaur Ahluwalia, Advocate
for the petitioner.

Mr. Bhanu Partap Singh, Addl.A.G., Punjab.

N.S.Shekhawat J.

1. The petitioners have filed the present revision petition against the impugned judgment dated 14.08.2012 passed by the Court of Additional Sessions Judge, Patiala and the impugned judgment of conviction and order of sentence dated 23.12.2010, passed by the Court of Sub-Divisional Judicial Magistrate, Rajpura, whereby the petitioners were ordered to be convicted for the offences punishable under Sections 468,471,120-B of IPC and were sentenced as under:-

Under Section 468 IPC	R.I for a period of one year and to pay a fine of Rs.500, in default of payment of fine, to further undergo SI for a period of one month.
Under Section 471 IPC	R.I for a period of one year and to pay a fine of Rs.500, in default of payment of fine, to further undergo SI for a period of one month.
Under Section 120-B IPC	R.I for a period of one year and to pay a fine of Rs.100, in default of payment of fine, to further undergo SI for a period



	of one month.
--	---------------

2. During the pendency of the present revision petition, Jit Singh, petitioner No.3 had expired and the present revision petition qua him stands abated and is ordered to be dismissed.

3. The brief facts of the case are that earlier application was moved by Sampuran Singh (petitioner) for taking action against Devinder Singh Incharge CIA Staff. The said application has been proved on record as Ex.DW-3/A. It was submitted by Sampuran Singh that he is owner of 200 Bighas of land along with his brother Faquir Singh. 15 Bighas of land belonging to Sital Singh son of Ram Singh of Village Chalherei is mortgaged with them but in the said land two Police officials i.e. Incharge CIA Staff SI Devinder Singh and were ASI Sukhdev Singh were interfering and trying to grab this land at cheap rate, although stay order had already been passed in their favour. Earlier SI Devinder Singh Incharge CIA Staff picked up his nephew and took him to CIA Staff. When they went there, SI Devinder Singh pressurized them to enter into compromise and under SI Devinder pressure he entered into compromise. Singh humiliated him and they were released only on the ground that he should pay Rs.70000/- and should get the receipt issued form Tohra Sahib. it was further submitted that Devinder Singh was pressurizing to get the sale deed of 12 Bighas of land in the name of Jagjit Singh son of Gurmit Singh and Balwant Singh son of Piara Singh and was also trying to get 15 Bighas of land of Sital Singh which is mortgaged with him. ASI Sukhdev Singh who was relative of Raghbir Singh is also helping him. These Police officials were also pressurizing him and were also giving bad name to the Police force. Both these officials



namely Devinder Singh and Sukhdev Singh were threatening to kill him and his family members and had further told him that, in case the Sale deed was not executed as per compromise which had been forced upon him, that a member of his family would be killed in an encounter. Thus it was prayed that action be taken. This application was moved on 23.06.1995 and was marked to DSP (D) Patiala and enquiry was conducted. DSP (D) submitted in his report / enquiry No.323/C/DSP/D dated 29.08.1995 It was submitted that as per Office letter Nos.912/FR dated 16.08.1995, 718/FR dated 05.07.1995, 428/MFR dated 17.07.1995, 884/FR dated 09.08.1995, 895/FR dated 10.08.1995, the enquiry was conducted in the matter that Sampuran Singh was resident of Village Chalheri and about 5 years back he along with his brother Faquir Singh had taken the land on mortgage from Sital Singh son of Ram Singh who was resident of Panchkula for a sum of Rs.60,000/- on 12.07.1990. He was cultivating the said land and two months earlier in June,1995 Sital Singh wanted to get his land measuring 15 Bighas redeemed from Sampuran Singh. However, Sampuran Singh refused to give possession of the land. On this Sital Singh deposited Rs.60000/- in State Bank of Patiala branch Rajpura in the Government Treasury on 12.06.1995 and receipt of the said amount was attached. Thereafter, Sampuran Singh came to know that Sital Singh was trying to get land vacated from him. Thereafter, Sampuran Singh brought one fake agreement to sell of this land on which signatures of Sital Singh were forged. Sital Singh submitted that Sampuran Singh had forged agreement to Sell of 15 Bighas of land in favour of his relative Darshan Singh son of Sada Singh by forging his signatures and Sital Singh had further submitted that he had not signed the said agreement to sell and he had further stated that he did not know



any Darshan Singh etc. He had further stated that he had not taken any amount as mentioned in the agreement to sell. Apart from this 15 Bighas of land Sital Singh also owned 12 Bighas of another land which was adjoining 15 Bighas of land. Sampuran Singh wanted to purchase 5 Bighas of land from Sital Singh and the deal was struck for Rs.25,500/- per Bigha with Sital Singh. Sital Singh was satisfied with the deal and thus on 29.04.1995 Sampuran Singh and Sital Singh reached Tehsil complex Rajpura. On that day Sampuran Singh was to get the Sale deed registered of 5 Bighas of land in his favour. Sital Singh was given the entire amount of Rs. 1,25,500/- of this 5 Bighas of land. Apart from this, Sital Singh was to get the sale deed registered of 7 Bighas of land in favour of Raghbir Singh son of Amar Singh and Raghbir Singh also reached Tehsil complex Rajpura. Sampuran Singh had given amount only of 5 Bighas of land out of 12 Bighas of land and had also agreed to purchase 5 Bighas of land and the Sale deed was to be registered of 5 Bighas of land only. However, Sampuran Singh brought the Sale deed of 12 Bighas of land registered in his favour by forging signatures of Sital Singh and fraudulently got the sale deed registered in his favour. Sital Singh also stated in his statement that Sale deed of agreement to sell does not bear his signatures and he has no concern with these documents. Sital Singh had also taken Rs.60,000/- from Raghbir Singh for selling 7 Bighas of land as earnest money. Due to this reason there was dispute between Sital Singh and Raghbir Singh also. From the complaint No.896/C SP/A dated 10.06.1995 which was sent to Incharge CIA Staff, Patiala, the concerned persons were called at CIA Staff Patiala but nothing has come to the notice that Complainant Sampuran Singh was threatened or he was threatened that his family will be killed. The allegations levelled in the complaint were



false and in the statement which Sampuran Singh recorded before him he had submitted that he had given application against ASI Sukhdev Singh under a misconception. It had also come in the enquiry that Sampuran Singh was a very clever person and Sital Singh was an innocent and honest person. The application had been given against ASI Sukhdev Singh only because Raghbir Singh was related to Sukhdev Singh. Thus, Sampuran Singh was not pressurized to vacate the land and no action was taken against him for executing the sale deed. The allegations regarding getting the receipt of Rs.70.000/- from Tohra Sahib were also totally false. Action was liable to be initiated against Sampuran Singh after taking legal opinion from D.A.

4. Even, a separate complaint was filed by Sital Singh, complainant, which also tagged with the F.I.R in the present case.

5. After completion of necessary investigation, the challan was presented before the Area Magistrate.

6. After perusing the challan and accompanying documents, the Trial Court found that a prima facie case under Sections 120-B, 420,468,471 of IPC was made out against the accused and they were charge-sheeted accordingly. However, the accused pleaded not guilty and claimed to be tried by the Trial Court.

7. In order to prove the charge against the accused, the prosecution examined 13 witnesses. Raghbir Singh as PW-1, Balwinder Singh as PW-2, Navdeep Gupta as PW-3, ASI Om Parkash as PW-4, Jagdish Arora as PW-5, Ramesh Chand as PW-6, Bhupinder Singh Deed Writer as PW-7, Harchand Singh as PW-8, Gurpreet Singh Bhullar as PW-9, Gurbax Singh as PW-10, Avtar Singh as PW-11, J.S Bhinder as PW-12 and Kuldip Singh as PW-13.



8. After the closure of the prosecution evidence, the statement of accused were recorded under Section 313 Cr.P.C and all the incriminating evidence was put to them, to which they pleaded that they had been falsely involved in the present case.

9. In defence, the accused examined 06 witnesses. DW-1 Mohinder Singh, DW-2 Darshan Singh, Reader, DW-3 Sampuran Singh, DW-4 Darshan Singh, DW-5 Sh. R.V Vashishta and DW-6 Ramesh Chand Garg, District Revenue Officer.

10. At the very outset, learned counsel appearing on behalf of the petitioners submits that he does not wish to challenge the impugned judgments of conviction and some leniency may be shown by this Court, while awarding the sentence to them. Even though, learned counsel for the petitioners has not challenged the judgment of conviction, still this Court has considered the case on merits.

11. I have heard the learned counsel for the parties and with their able assistance, I have gone through the trial Court record carefully

12. In the present case, from the evidence led by the prosecution, it was amply proved that the sale deed dated 29.04.1994 was forged and fabricated, which was attested by Mohinder Singh, numberdar and Jit Singh, whereas, sampuran Singh was the beneficiary of the sale deed. Even though Sital Singh had expired, consequently, he could not be examined before the Trial Court. However, son of Sital Singh had appeared and he duly identified his signatures during the course of enquiry. In the present case, both the Courts had rightly held the petitioners for commission of the offences punishable under Sections 468,471 and 120-B of IPC.



13. Now, adverting to the order of sentence in the present case, this Court is of the view that both the petitioners in the present case are facing the agony of prosecution since 29.10.1995 i.e for the last more than 30 years. At present, both the petitioners are senior citizens and are suffering from various old age diseases. Apart from that, the sentence imposed on the petitioners were ordered to be suspended by this Court 17.10.2012 and in the past more than 13 years, they had been maintained good conduct. Apart from that, both the petitioners have already undergone more than two months of actual custody, out of total sentence of one year. Thus, keeping in view the aforesaid mitigating circumstances, it would be appropriate to reduce the sentence imposed on the petitioners to the period already undergone by them in the present case and amount of fine imposed on them shall remain the same.

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

15. Pending application(s), if any, stand(s), disposed of, accordingly.

24.03.2026

hitesh

(N.S.SHEKHAWAT)
JUDGE

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