

CRR-3020-2012 (O&M)
Date of Decision: 07.04.2026

State of Punjab ...Respondent

Mr. Amit Rana, Sr. DAG, Punjab.

N.S.Shekhawat J. (Oral)

Under Sections	Sentence imposed
120-B IPC	RI for six months and to pay a fine of Rs.250/- each and in default of payment of fine, to further undergo RI for 07 days
420 of IPC	RI for one year and to pay a fine of Rs.500/- each and in default of payment of fine, to further undergo RI for 15 days
170 of IPC	RI for six months and to pay a fine of Rs.250/- each and in default of payment of fine, to further undergo RI for 07 days



2. The brief facts of the case are that a complaint was made by Karaj Singh s/o Kundan Singh r/o Village Alipur Tehsil and Distt. Patiala to the effect that he was a constable in Punjab Police at Faridkot in the year 1992, but on account of his sickness he absented from his duty and as such his services were terminated. His wife Jasbir Kaur is serving as a teacher in DAV Public School, Balbera. It is alleged that on 29.12.2003 at about 7.00 p.m. when he was present in his house, three Sikh young persons came in a Tata Siara and after stopping the vehicle, they knocked the door of his house. On opening the door, one of them asked if he is Karaj Singh and he disclosed that they are front Secret Department and have come from Chandigarh and they are Government officials. They came inside and started asking about the educational certificates belonging to him and his wife. They informed him that his wife is serving on the certificate of some other lady and as such they will take action against him. It is alleged that the complainant was terrified on hearing this and his father went and called Sarpanch Naffa Singh and Member of Panchayat Jangir Singh to their house and they also spoke to the persons, who came to their house. He disclosed his name as Tejinderpal Singh Cheema Govt. official from Intelligence Department. After discussing with the Sarpanch and member of Panchayat, Tejinderpal Singh said that if an amount of Rs.10,000/- is paid, they will close the case by recording favourable statements. The complainant gave an amount of Rs. 5,000/- in the presence of Sarpanch and also handed over Photostat certificates belonging to him and they also recorded the statement of Jasbir Kaur and obtained the signatures and seal of Sarpanch. They also took the joint photo of complainant and his wife and also the single photo of his wife and he gave his telephone No. 98147-89772 and asked him that on 4.1.2004, he



should come with the remaining amount at Passi Road, Near Gurudwara Dukhanjwaran Sahib. It is alleged that on that day, the complainant along with Sarpanch Naffa Singh and Member Jangir Singh were going to hand over Rs. 2,500/- to accused Tejinderpal Singh Cheema. On enquiry by the complainant, he came to know that the accused are not Government officials and they are cheating the people by posing as such. He got his statement recorded. In the statement of complainant, the investigating officer asked the complainant to give him the currency notes which were given by the complainant. The IO noted down the serial number of the notes and also put initials on the notes and gave to him and prepared a memo regarding the same. He instructed the complainant to make the phone call to the accused and to give a signal to the police when he hands over the amount to the accused. Accordingly the complainant went near Passi Road and he handed over the said currency notes to the accused and made a signal to the police party to which they immediately came on the spot and apprehended the accused Tejinderpal Singh Cheema s/o Gursewak Singh r/o village Cheema Distt. Moga. The search of accused was conducted and the said notes were taken into police possession. The accused was holding a diary which was also taken in possession by the police and the photocopy of the certificates and the photographs, which were taken by the accused from the house of the complainant were also recovered from the same. The personal search memo was also prepared. Subsequently, the other accused were also arrested.

3. After completion of investigation, challan was presented before the trial Court. During trial, the trial Court held that a *prima facie* case under Sections 420, 170, 120-B of IPC was made out against the petitioners and they



were ordered to be charge-sheeted accordingly. The petitioners pleaded not guilty and claimed to be tried by the trial Court.

4. In order to prove its case, the prosecution examined Moti Lal Sharma, Tehsildar, Nabha as PW-1, SI Dharam Devi, the Investigating Officer, as PW-2, Karaj Singh, complainant as PW-3, Jasvir Kaur, wife of the complainant as PW-4 and ASI Sohan Singh as PW-5 and thereafter, the prosecution evidence was closed.

5. After closure of the prosecution evidence, the statements of the petitioners under Section 313 Cr.P.C. were recorded and all the incriminating circumstances were put to them. However, they denied all allegations and pleaded false implication in the present case. In their defence, the accused examined Jagir Singh, Panch of Village Alipur Jattan as DW-1 and thereafter, closed their defence evidence.

6. At the very outset, learned counsel for the petitioners submits that he does not wish to challenge the judgment of conviction passed against the petitioners by both the Courts, however, some leniency may be shown, while awarding the sentence on them. Even though, learned counsel for the petitioners 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.

7. Learned State counsel contended that the petitioners do 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 allegations were levelled by the prosecution that the petitioners had impersonated as government officials of Intelligence Departments. Even the prosecution examined Karaj Singh, complainant as PW3 and his wife, Jasbir Kaur as PW-4. Both the witnesses had specifically deposed that the petitioners had come to their house and had demanded a sum of Rs.10,000/- so as to close the inquiry against their family. Even both the witnesses had no reason to falsely involve the petitioners. Even both the witnesses were cross-examined by the defence, but there was nothing on record to discredit their testimonies. Still further, the statements of PW-3, Karaj Singh, complainant and PW-4, Jasbir Singh, his wife were duly corroborated by Moti Lal Sharma, Tehsildar, Nabha, PW1, SI Dharam Devi, PW2 and ASI Sohan Singh, PW5. Even by the prosecution, it was proved that they had gone to the house of the complainant and had cheated the present complainant and his wife, and the ingredients of the offence under Sections 420, 170, 120-B of IPC were complete in the present case. Even I have carefully perused the findings recorded by the trial Court as well as the Appellate Court and both the judgments call for no interference by this Court and the impugned judgments of convictions are upheld.

10. Now, advertng to the order on quantum of sentence, this Court cannot lose sight of the fact that the petitioners are facing the agony of trial/appeal/revision since 04.01.2004 i.e. for the last more than 22 years. Even from their custody certificates, it is apparent that Tejinder Singh, petitioner No.1 has already undergone 01 month and 11 days of actual custody, whereas, Balwinder Singh, petitioner No.2 has already undergone 01 month and 06 days of actual custody and Surinder Singh, petitioner No.3 has already undergone 24



days of actual custody, out of total sentence of 01 year and they were never involved in any other crime. Even the sentence imposed on the petitioners was suspended by this Court on 17.10.2012 and in the last about 14 years, they have maintained good conduct. Moreover, they are sole bread winner of their family. Thus, keeping in view of aforesaid mitigating circumstances, the sentence imposed on the petitioners is reduced to the period already undergone by them. However, the amount of fine imposed on them shall remain same.

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

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

(N.S.SHEKHAWAT)
JUDGE

07.04.2026
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No