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IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CRR-2653-2016 (O & M)  
Date of decision: 15.01.2026

BALKAR SINGH ....Petitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON’BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Vikas Gupta, Advocate, for the petitioner.  
Mr. Jasjit Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. The present revision petition has been preferred by the petitioner against the judgment dated 19.05.2016 passed by learned Additional Sessions Judge, Tarn Taran, affirming the judgment/order of conviction by trial Court on 12.09.2014 under Sections 420 and 471 IPC whereby he was convicted and sentenced as under:

| Section | Imprisonment                                                            |
|---------|-------------------------------------------------------------------------|
| 420 IPC | Three years and a fine of Rs.2000/- in default of fine RI for 15 days.  |
| 471 IPC | Three years and a fine of Rs.2,000/- in default of fine RI for 15 days. |

All the sentences have been ordered to run concurrently.

2. Shorn of unnecessary details, the facts of the prosecution case are that the petitioner approached the complainant-bank for having

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financial loan to the tune of Rs.4 lakh (gold card) on 28.08.2025, which was processed and recommended by the Field Officer and sanctioned by then Branch Manager. For the said purpose, the petitioner submitted various documents, including non-encumbrance certificate issued by the Sub Registrar that the land measuring 48 kanals is owned by him and the same is un-encumbered. He also executed registered mortgaged deed of the said land in favour of the complainant, which was attested by Milkha Singh, Lambardar. However due to non-payment of the loan, the complainant bank approached the revenue authority for getting the latest revenue record, but it was reported that the land did not stand in the name of the petitioner. On these allegations, the present FIR was registered.

3. After completion of investigation, final report under Section 173 Cr.P.C. was presented in the Court against the accused-petitioner. On finding a prima facie case, charges under Sections 120-B, 420, 467, 468 and 471 IPC were framed against him, to which he pleaded not guilty and claimed trial.

4. The prosecution, in support of its version, examined 8 witnesses. Thereafter, the statement of the accused under Section 313 Cr.P.C. was recorded. The incriminating evidence was put to him, which he denied, pleading innocence and alleging false implication. However in defence, he has not examined any witness.

5. The learned trial Court after hearing the learned counsel for the parties, convicted and sentenced the accused-petitioner under Sections 420, 467, 468 and 471 IPC. However, learned Appellate Court set aside the

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conviction under Sections 467 and 468 IPC, but affirmed it under remaining sections in the appeal preferred by him.

6. Aggrieved petitioner is before this Court.

7. Learned counsel, at the very outset, gives up challenge to the conviction and prays for reducing the sentence awarded to the petitioner to the period already undergone, it being 11 months and 15 days, on the ground that he, 87 year-old, is suffering from various ailments; not involved in any other case; never misused the concession of bail and has been facing the agony of protracted trial for the last 17 years.

8. Learned counsel State counsel opposes on the ground that the trial Court after appreciating the evidence led by the prosecution, has rightly convicted and sentenced the petitioner, therefore, prays for the dismissal of the present petition. He, however, affirms the non-involvement of the petitioner in any other criminal case and the period undergone by him as per the custody certificate.

9. Heard the learned counsel on either side and perused the record.

10. Evidently, PW 2 and PW 3, Revenue Patwaris have produced the record which has been forged by the petitioner. From their testimony, it is clear that the documents submitted by him in order to seek loan from the bank are forged. He was not shown the owner of the said land in original revenue record. The bank extended the loan to him on the basis of these forged documents and the bank is recovering the same, which itself proves his inducement and dishonest intention.

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11. This Court in **Parminder Singh @ Kala vs. State of Punjab**, CRR-1134-2017 decided on 19.07.2017, wherein the accused was convicted under Sections 379, 411, 420, 467, 468 and 471 IPC, reduced the sentence of one year to 10 months, by considering that the petitioner was facing trial since 2010. Similarly in **Jaggar Singh and another vs. State of Punjab**, CRR-1306-2009, decided on 15.05.2023, the substantive sentence awarded to the accused-appellants, who were convicted under Sections 420, 465, 467, 471 IPC for RI of 3 and 2 years respectively, was reduced to the extent of already undergone, while observing that the offence was committed in 1999 and the accused-appellants have maintained good-conduct since then.

12. In **Satish vs. State of U.P.**, (2021) 14 SCC 580, Hon'ble the Supreme Court had observed that, "Whilst it is undoubtedly true that society has a right to lead a peaceful and fearless life, without free roaming criminals creating havoc in the lives of ordinary peace loving citizens. But equally strong is the foundation of reformatory theory which propounds that a civilized society cannot be achieved only through punitive attitudes and vindictiveness; and that instead public harmony, brotherhood and mutual acceptability ought to be fostered. Thus, first time offenders ought to be liberally accorded a chance to repent their past and look forward to a bright future. [**Maru Ram v. Union of India**, (1981) 1 SCC 107 : 1981 SCC (Cri) 112]".

13. In **Babu Lal and another vs. State of Rajasthan**, S.B. CRP No. 594 of 2003, decided on 01.05.2024, Rajasthan High Court keeping

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in view that the occurrence took place in 1989 and the accused-petitioner had undergone 15 days out of total sentence of 2 years S.I, partly allowed the appeal by reducing the same to the foregoing period. Similarly in **Sanwal Ram vs. State of Haryana**, CRR-2795-2009, decided on 19.03.2025, a case of conviction under Sections 420, 465, 468, 416, 417 and 120-B IPC, this Court, in consideration of the circumstances that the accused is 88 years old, and had undergone 3 months 6 days out of 2 years; first time offender; no antecedents, took a lenient view furthering the cause of justice and reduced the sentence to the period already undergone.

14. Hon'ble The Supreme Court in **P. Soundarya vs. Income Tax Officer, Tamil Nadu**, Criminal Appeal no.969 of 2000 decided on 01.04.2008, had reduced the sentence to the period already undergone by the appellant wherein she was convicted under under Sections 420 read with Section 511 IPC and Section 193 IPC read with Section 136 of Income Tax Act, 1961, by taking into account that she was aged 52 years and had children as also that the matter was 25 years old.

15. Furthermore in **Edmund S. Lyngdoh vs. State of Meghalaya**, (2016) 15 SCC 572, the appellant was convicted under Section 420 and 120B IPC for 5 and 3 years of RI respectively along with fine of Rs. 1 lac and Rs. 50,000/- and sentence to the period of 248 days already undergone, observing that he was 70 years old, undergoing treatment, had paid the fine amount and the matter was lingering for 3 decades and in **Naresh Chaubey vs. Central Bureau of Investigation**

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**Through Gyanendra P.D. Singh**, 2018(1) SCC(Cri.) 293, the sentence of the appellant was reduced to the period of 20 months already undergone out of sentence of 3 years for conviction under Sections 420, 471 read with 465 IPC, by taking into consideration that he was aged 75 years and suffering from several ailments.

16. Humanistically viewing, the petitioner having suffered the ignominy of trial since long; successfully warded off his crime-proneness-an evident learning of a lesson; this Court finds circumstances warranting reduction discernible. Thus, it would serve the ends of justice to reduce his sentence to the period already undergone, however, keeping the fine intact.

17. The order of sentence dated 12.09.2014, as also the judgment dated 19.05.2016 passed by the Appellate Court, are modified to the aforesaid extent and as such, the present petition stands partly allowed.

15.01.2026

m.kamra

**(AMAN CHAUDHARY)**  
**JUDGE**

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