

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2026:PHHC:043501



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CRR-2587-2025 (O&M)

Date of Decision: 19.03.2026.

Soma

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Avtar S. Khinda, Advocate for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

SUKHVINDER KAUR, J.

1. By way of this revision petition, the petitioner has challenged the judgment dated 17.09.2025 passed by learned Additional Sessions Judge, Kapurthala, whereby the appeal filed by the petitioner, challenging the judgment of conviction and order of sentence dated 17.08.2024 passed by learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, in case FIR No.283 dated 28.08.2020, under Sections 392, 120-B and 201 IPC, registered at Police Station Sultanpur Lodhia, District Kapurthala was upheld.

2. Brief facts of this case are that on 27.08.2020 at 8:30 A.M., complainant Jasvir Kaur stated that she was at her house, when two boys came at her house, by putting her in fear, they removed gold earrings along with one gold ring and silver anklets. On the basis of the said statement of

the complainant, the present FIR was got registered against the petitioner. Upon trial, vide judgment and order of sentence dated 17.08.2024 passed by learned Sub Divisional Judicial Magistrate, Sultanpur Ldohi, the petitioner was convicted and sentenced as under:-

Name of accused	Under Section	Imprisonment
Soma	411 IPC	To undergo R.I. for 01 year and to pay a fine of Rs.500/-, in default of payment of fine, to undergo R.I. for 30 days.

3. Aggrieved against the same, the petitioner preferred appeal before the learned Additional Sessions Judge, Kapurthala, but the judgment of conviction passed by the trial Court was upheld by the said Court and appeal was dismissed.
4. At the very outset, learned counsel for the petitioner has submitted that the judgment of conviction of the petitioner is not being assailed on merits and he restricts his prayer for modification of order on quantum of sentence.
5. Per contra, learned counsel for the state submitted that the well reasoned judgment has been passed by both the Courts below based on correct appreciation of the evidence available on record and the petitioner does not deserve any leniency.
6. Learned counsel for the parties have been heard and the record has been meticulously examined with their able assistance.
7. Since the revisionist/ petitioner has not challenged the judgment of conviction on merits, as such the said issues are not being gone into at this stage and it is being restricted to the issue pertaining to sentencing and quantum of punishment.

8. The Hon'ble Supreme Court in **Pramod Kumar Mishra Vs. State of UP (2023) 9 SCC 810**, observed that punishment must not be viewed as an act of vengeance but as a means of reformation and reintegration of the offender into society. It was further held that an appropriate sentence must be determined by considering a range of factors, including the nature and circumstances of the offence, the offender's background, age, mental and emotional condition, potential for rehabilitation, prior criminal record, and the deterrent needs of the community. Sentencing, the Court noted, involves a delicate exercise of judicial discretion where multiple social, psychological, and moral factors must be balanced to ensure that justice serves both societal protection and individual redemption.

9. Hon'ble Supreme Court again reiterated in **Ravada Sasikala v. State of AP reported as AIR 2017 SC 1166**, that law in this regard is well settled that opportunities of reformation must be granted and such discretion is to be exercised by evaluating all attending circumstances of each case by noticing the nature of the crime, the manner in which the crime was committed and the conduct of the accused to strike a balance between the efficacy of law and the chances of reformation of the accused. In order to determine the quantum of sentence, Courts should bear in mind the principle of proportionality as awarding punishment is not merely retributive but also reformatory.

10. The perusal of impugned judgment reveals that there is no perversity and evidence on record has been appreciated in the right perspective, but as observed above, the counsel for the petitioner has not challenged the conviction on substantive grounds and while limiting his

plea solely to modification of the quantum of sentence to one already undergone.

11. Learned State counsel has produced the custody certificate of the petitioner, as per which the petitioner has already undergone custody of 07 months and 25 days out of awarded substantive sentence of 01 year.

12. Taking into consideration the facts noticed above that the petitioner has faced the rigors of a long criminal prosecution; in the facts and circumstances of the present case it would be in the interest of justice, if sentence awarded to the petitioner is reduced to the period already undergone by him.

13. Therefore, in view of the discussion above, the present revision is disposed of in the following terms:-

(i) The judgment dated 17.09.2025 passed by the learned Additional Sessions Judge, Kapurthala and judgment of conviction and order of sentence dated 17.08.2024 passed by learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi are upheld with modification to the extent that the sentence of the petitioner is reduced to the period of sentence already undergone by him.

14. The concerned jail authorities are directed to release the petitioner immediately, if not required in any other case.

15. Pending miscellaneous application(s), if any, shall also stand disposed of.

16. Registry is directed to do the needful.

(SUKHVINDER KAUR)
JUDGE

19.03.2026.

Komal

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