**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRR-3333-2025 (O&M)
Date of decision: 13.03.2026**

JASBIR SINGH ALIAS JASVIR SINGH ….Petitioner

Versus

STATE OF PUNJAB ....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Shehbaz Thind, Advocate for the petitioner.

Mr. Ravinder Singh, DAG Punjab.

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RUPINDERJIT CHAHAL, J. (ORAL)

1. This revision is filed against the judgment dated 01.12.2025 passed by learned Additional Sessions Judge, Patiala, whereby, the appeal filed by the petitioner, challenging the judgment of conviction and order of sentence dated 04.02.2020, passed by learned Additional Chief Judicial Magistrate, Patiala in case FIR No.69 dated 16.07.2011 under Sections 279, 304-A IPC, registered at Police Station Urban Estate, Patiala was upheld.

2. Brief background of the case is that an alleged road accident stated to have occurred on 15.07.2011 resulting in the death of one Raghunath Sayal. Upon trial, vide judgment and order of sentence dated 04.02.2020, passed by learned Additional Chief Judicial Magistrate, Patiala, the petitioner was convicted and sentenced as under:-

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2026.03.16 11.56
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Sr No.	Name of convict	Sentence under Section	R.I. awarded	Fine	In default of payment of Fine further R.I. for
1.	Jasbir Singh @ Jasvir Singh	279 IPC	06 months	--	--
		304-A IPC	01 year	1000/-	07 days

3. The petitioner filed appeal before the learned Additional Sessions Judge, Patiala, who vide judgment dated 01.12.2025 upheld the conviction.

4. At the very outset, learned counsel for the petitioner has submitted that he is not assailing the conviction of the petitioner on merits and restricts his prayer qua modification of the order on quantum of sentence, to that of the sentence already undergone by the petitioner, as he has already undergone a period of 03 months 11 days after his conviction.

5. Per contra, learned State counsel opposes the prayer of the petitioner on the ground that learned trial Court has passed a well-reasoned judgment based on correct appreciation of evidence available on record as such, he 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. In ***Deo Narain Mandal v. State of U.P. (2004) 7 SCC 257***, the Supreme Court (Three-Judge Bench) underscored that sentencing is not a mere formality in criminal proceedings. Where a statute prescribes both minimum and maximum terms, the court must exercise the discretion conferred upon it judiciously—not whimsically or arbitrarily. Factors such as the gravity of the offence, manner of commission, and the accused's age

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are imperative in determining an appropriate sentence. The sentencing court must operate within the principle of proportionality, ensuring the sentence is neither unduly harsh nor inappropriately lenient.

8. In ***Ravada Sasikala v. State of Andhra Pradesh AIR 2017 SC 1166***, the Court reaffirmed that sentencing serves a broader social purpose a deterrent effect that compels the offender to acknowledge the harm caused both to the victim and to society. The Court held that opportunities for reformation must be afforded, and sentencing discretion must be exercised by weighing all attendant circumstances, including the nature and manner of the offence and the conduct of the accused, to strike a balance between legal efficacy and prospects of rehabilitation.

9. A careful review of the conviction rendered by the learned Appellate Court reveals no perversity; the decision is grounded on a sound appreciation of the evidence. Counsel for the petitioner has not challenged the conviction on substantive grounds, limiting his plea solely to a modification of the quantum of sentence to one already undergone.

10. Perusal of record indicates that FIR(supra) was registered in the year 2011. As per the custody certificate, the petitioner have already undergone a period of 03 months 11 days, out of substantive sentence of 01 year.

11. Accordingly, this Court is of the opinion that it would be in the interest of justice, if the sentence awarded to the petitioner is reduced to the period already undergone by him.

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

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(i) The judgment dated passed by 01.12.2025 passed by learned Additional Sessions Judge, Patiala is upheld.

(ii) The order of sentence dated 04.02.2020 is modified to the extent that the sentence of the petitioiner is reduced to the period of sentence already undergone by him.

13. The jail authorities are directed to release the appellant immediately, if not required in any other case.

14. Registry is directed to do the needful.

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

(RUPINDERJIT CHAHAL)
JUDGE

13.03.2026
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i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No

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