

2025:PHHC:130964



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRR-1184-2008

Date of decision: September 22, 2025

MOHINDER SINGH AND ANOTHER

...Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Hitesh Verma, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant revision petition has been preferred against the judgment of conviction/order of sentence dated 15.10.2004 passed by learned Judicial Magistrate Ist Class, Barnala, in case FIR No.135 dated 11.11.1997 under Sections 415, 418, 419, 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Tapa, Barnala, convicting and sentencing the petitioners, which judgment was upheld by the learned Additional Sessions Judge, Barnala, on 03.05.2008.

2. The petitioners were sentenced to undergo imprisonment as follows:-

Name of the accused	Offence(s) under Section	Period of sentence	Fine imposed on each	Period of sentence in default of payment of fine
Mohinder Singh	120-B IPC	RI for 3 years	Rs.2,000/-	RI for 6 months
	420 IPC	RI for 2½ years	Rs.1,500/-	RI for 6 months
	467 IPC	RI for 3 years	Rs.2,000/-	RI for 6 months
	468 IPC	RI for 2 years	Rs.1,000/-	RI for 4 months
	471 IPC	RI for 2 years	Rs.1,000/-	RI for 4 months



Hakam Singh	120-B IPC	RI for 3 years	Rs.2,000/-	RI for 6 months
	420 IPC	RI for 2 years	Rs.1,500/-	RI for 6 months
	467 IPC	RI for 3 years	Rs.2,000/-	RI for 6 months
	468 IPC	RI for 2 years	Rs.1,000/-	RI for 4 months
	471 IPC	RI for 2 years	Rs.1,000/-	RI for 4 months

2A. All the sentences were ordered to be run concurrently.

3. Learned counsel for the petitioners has, at the very outset, fairly conceded that in view of the concurrent findings recorded by the learned Trial Court and learned Appellate Court, he does not intend to assail the conviction of the petitioners on merits. His submission is confined solely to the quantum of sentence. It is urged that the occurrence in question pertains to the year 1997, and the petitioners have already undergone incarceration for a period of more than one year. It is further submitted that the petitioners have endured the ordeal of protracted criminal proceedings, are peace-loving and law-abiding citizens, and have no other criminal antecedents. On these premises, learned counsel pleads for a lenient view, contending that no useful purpose would be served by subjecting the petitioners to further incarceration.

4. *Per contra*, learned State counsel has opposed the prayer for reduction of sentence. While drawing attention to the concurrent findings recorded against the petitioners, it has been submitted that the conviction calls for no interference. However, the learned State counsel is unable to dispute that subsequent to the incident of the year 1997, the petitioners have



maintained good conduct and have not been involved in any other criminal activity.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In the considered view of this Court, having regard to the facts enumerated hereinabove, particularly the circumstance that the FIR pertains to the year 1997, and taking note of the fact – undisputed by the learned State counsel, that the petitioners have not indulged in any other criminal act thereafter, and have otherwise been leading a disciplined and law-abiding life, it would not be appropriate to send them back to prison at this stage of life, especially when they have already borne the brunt of prolonged trial proceedings.

7. In the totality of circumstances, ends of justice would be adequately met if, while upholding the conviction of the petitioners, their substantive sentence of rigorous imprisonment for a period of three years is reduced to the period already undergone i.e. 1 year and 15 days.

8. Ordered accordingly.

9. However the fine imposed is enhanced from Rs.7,500/- each to Rs.10,000/- each to be deposited with the “Punjab State Legal Services Authority Disaster Relief Fund, A/c No.44426937384, IFSC-SBIN0014656, State Bank of India, Sector-68, SAS Nagar, Mohali” within one month from the date of this order. It is made clear that in the event of non-deposit of the enhanced fine within a period of one month from today, the benefit of



reduction of sentence shall not accrue to the petitioners, and they shall be required to undergo the remaining part of the sentence awarded to them.

10. With the aforesaid modification in the quantum of sentence and enhancement of fine, the instant revision petition stands disposed of.

September 22, 2025

Jaspreet Kaur

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*