



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRR-2288-2009 (O&M)

Date of Decision.:27.03.2025

GORA SINGH

.....Appellant

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Manvi Arora Advocate for
Mr.Rakesh Gupta, Advocate, for
the appellant.

Mr. R.K. Takkar, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Appellant was tried by JMIC, Sunam in a case arising out of FIR No.133 dated 14.08.2003 under Section 326 IPC registered at Police Station Dirba, Sangrur. After trial, the appellant was convicted under Section 326 IPC vide judgment dated 06.11.2007 by the trial Court and was sentenced to undergo rigorous imprisonment for a period of three years and to pay fine of ₹500/- with default sentence of 01 month rigorous imprisonment in case of non-payment of fine.

2. Against the abovesaid conviction and sentence, this appeal was filed.

3. Today learned counsel for the appellant stated at the outset that appellant does not press the appeal against the judgment of conviction as well as against the order of appellate Court; and that appellant confines his prayer only against order of sentence. It is submitted that appellant would be satisfied, in case he is sentenced to imprisonment for the period already undergone by him.

4. Learned counsel points out that offence pertains to the year



CRR-2288-2009 (O&M) -2-

2003; that appellant was young person of 22 years at that time; that appellant has already undergone actual sentence of 07 months and 05 days and is not involved in any other case and so, he deserves to be sentenced for the period already undergone by him.

5. Learned State counsel has not seriously objected to the aforesaid prayer.

6. The custody certificate placed on record by the respondent-State would reveal that appellant has already undergone actual custody sentence of 07 months and 05 days. It is revealed further that he has no criminal antecedents. Nothing has been brought on record to suggest that after this conviction, appellant has been involved in any other case. He was young boy of 22 years of age at the time of offence, which had taken place way back in 2003 i.e. 22 years back.

7. In the aforesaid facts and circumstances, it will be in the interest of justice, if the period of imprisonment is reduced to the period already undergone by the appellant, instead of sending him behind bars in the company of hardened criminals.

8. Consequently, the present appeal is partly accepted. By maintaining the impugned judgment against conviction, the order of sentence as passed by the trial Court is modified and the appellant is sentenced to imprisonment for the period already undergone by him. As far as fine is concerned, it will remain same.

Disposed of.

**(DEEPAK GUPTA)
JUDGE**

March 27, 2025

Pry

Whether Speaking/reasoned	Yes
Whether Reportable	No