

2025:PHHC:132462



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRR-1798-2007

Date of decision: September 23, 2025

JAGTAR SINGH AND ANOTHER

...Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. B.S. Bhalla, Advocate
for the petitioners.

Mr. Pritinder Paul Singh, Addl. A.G., Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant revision petition has been preferred against the judgment of conviction/order of sentence dated 25.04.2005 passed by learned Judicial Magistrate Ist Class, Moga, in case FIR No.77 dated 07.12.1995 under Sections 326/324/323/34 of the Indian Penal Code, 1860, registered at Police Station Mehna, District Moga, convicting and sentencing the petitioner, which judgment was upheld by the learned Additional Sessions Judge, Moga, on 19.09.2007.

2. In compliance of the order dated 04.07.2025, report of learned Chief Judicial Magistrate, Moga has been received, submitting therein that the petitioner has expired on 19.11.2011. In view of the same, the instant revision petition stands abated *qua* petitioner No.1 Jagtar Singh.



3. Petitioner No.2 Harjit Singh was sentenced to undergo imprisonment as follows:-

Offence(s) under Section	Period of sentence	Fine imposed on each	Period of sentence in default of payment of fine
326/34 IPC	RI for 3 years	Rs.3,000/-	RI for 1 month
324/34 IPC	RI for 1 year	Rs.1,000/-	RI for 1 month
323 IPC	RI for 6 months	Rs.500/-	RI for 15 days

3A. All the sentences were ordered to be run concurrently.

4. Learned counsel for the petitioner 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 petitioner on merits. His submission is confined solely to the quantum of sentence. It is urged that the occurrence in question pertains to the year 1995, and the petitioner has already undergone incarceration. It is further submitted that the petitioner has endured the ordeal of protracted criminal proceedings, is a peace-loving and law-abiding citizen, and has 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 petitioner to further incarceration.

5. *Per contra*, learned State counsel has opposed the prayer for reduction of sentence. While drawing attention to the concurrent findings recorded against the petitioner, 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 1995, the petitioner has maintained good conduct and has not been involved in any other criminal activity.

6. Learned State counsel has filed status report by way of an affidavit of the Senior Superintendent of Police, District Moga on behalf of the respondent-State in the Court today, which is taken on record subject to all just exceptions.

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

8. In the considered view of this Court, having regard to the facts enumerated hereinabove, particularly the circumstance that the FIR pertains to the year 1995, and taking note of the fact – undisputed by the learned State counsel, that the petitioner has not indulged in any other criminal act thereafter, and has otherwise been leading a disciplined and law-abiding life, it would not be appropriate to send him back to prison at this stage of life, especially when he has already borne the brunt of prolonged trial proceedings.

9. In the totality of circumstances, ends of justice would be adequately met if, while upholding the conviction of the petitioner, his substantive sentence of rigorous imprisonment for a period of three years is reduced to the period already undergone.

10. Ordered accordingly.

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11. However, fine of another sum of Rs.5,000/- in *toto* is 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 and a copy of receipt of the fine deposited be produced before the CJM concerned. It is made clear that in the event of non-deposit of the fine within a period of one month from today, the benefit of reduction of sentence shall not accrue to the petitioner, and he shall be required to undergo the remaining part of the sentence awarded to him.

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

September 23, 2025*Jaspreet Kaur***(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*