

Sr. No. 202

2025:PHHC:057740



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

CRR No.2000 of 2010 (O&M)

Date of Decision:02.05.2025

Jagwinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioner.

Mr. Animesh Sharma, Addl. AG, Punjab.

DEEPAK GUPTA, J. (Oral)

Petitioner- Jagwinder Singh was tried by Ld. Sub Divisional Judicial Magistrate, Anandpur Sahib, in a case arising out of FIR No.63 dated 24.07.2000 under Sections 279, 338, 304-A IPC at Police Station Raikot District Ludhiana, vide judgment of conviction dated 14.02.2007 by the trial Court; was convicted under Sections 279, 304-A and 338 IPC and was sentenced to undergo rigorous imprisonment for a period of six months and to pay fine of ₹500/- and in default thereof, to undergo simple imprisonment for seven days under Section 279 IPC; to undergo rigorous imprisonment for a period of one year and to pay fine of ₹2,000/- and in default thereof, to undergo simple imprisonment for seven days under Section 304A IPC and to undergo rigorous imprisonment for a period of six months and to pay fine of ₹500/- and in default thereof, to undergo simple imprisonment for seven days under Section 338 IPC vide order of sentence. On appeal, the judgment of conviction and order of sentence were upheld by the



Court of learned Additional Sessions Judge (Adhoc), Fast Track Court, Rupnagar vide judgment dated 12.07.2010.

2. Against the abovesaid orders, this revision was filed.
3. Today nobody is appearing on behalf of the petitioner. This Court has gone through the impugned judgments of the Courts below and finds that conviction has been recorded after proper appreciation of the evidence on record. This Court does not find any reason so as to interfere in the impugned judgment of conviction and as such, the same is hereby maintained.
4. However as far as the impugned order of sentence is concerned it is noticed that petitioner was sentenced maximum for a period of one year rigorous imprisonment and to pay fine of ₹2,000/- with default sentence of 07 days rigorous imprisonment in case of non-payment of fine.
5. The custody certificate placed on record by the respondent-State would reveal that petitioner- Jagwinder Singh had already undergone total sentence of 04 months and 22 days. It is revealed further that petitioner has no other criminal antecedents. The offence had taken place way back in 2000 i.e. 25 years back.
6. 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 petitioner, instead of sending him behind bars in the company of hardened criminals.
7. Consequently, the present revision is partly accepted. By maintaining the impugned judgment against conviction, the order of sentence as passed by the trial Court is modified and the petitioner is sentenced to imprisonment for the period already undergone by him. As far as fine is concerned, it will remain same.



8. However, it is made clear that amount of fine, if not paid earlier, shall be deposited before learned Chief Judicial Magistrate concerned, within a period of four weeks from today, failing which the petitioner will have to carry out the complete sentence as imposed by the trial Court.

Disposed of.

May 02, 2025
pry

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No