



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRR-1906-2010

Date of Decision.: 28.04.2025

Shri Kamaljit Singh @ Kamal

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioner.

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

DEEPAK GUPTA, J. (ORAL)

Petitioner Shri Kamaljit Singh @ Kamal was tried by Ld. Judicial Magistrate 1st Class, Jalandhar in a case arising out of FIR No.43 dated 22.04.2003 under Section 25 of Arms Act registered at Police Station Adampur. After trial, the petitioner was convicted under Section 25 of Arms Act vide judgment dated 06.01.2009 by the trial Court and was sentenced to undergo rigorous imprisonment for a period of one year and to pay fine of ₹1,000/- with default sentence of one month imprisonment in case of non-payment of fine.

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

3. Today nobody is appearing on behalf of the petitioner. This Court has gone through the impugned judgment of the trial Court 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.

**CRR-1906-2010****-2-**

4. However as far as the impugned order of sentence is concerned it is noticed that petitioner was sentenced to undergo rigorous imprisonment for a period of one year and to pay fine of ₹1,000/- with default sentence of one month imprisonment in case of non-payment of fine under Section 25 of Arms Act.

5. The custody certificate placed on record by the respondent-State would reveal that petitioner has already undergone actual custody sentence of 11 months and 30 days. Custody certificate further indicates that petitioner is not involved in any other criminal case.

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 petitioners, instead of sending them behind bars in the company of hardened criminals.

7. Consequently, the present petition is partly accepted. By maintaining the impugned judgment against conviction, the order of sentence as passed by the trial Court is modified and the petitioners are sentenced to imprisonment for the period already undergone by them.

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 appellant will have to carry out the complete sentence as imposed by the trial Court.

Disposed of.

**(DEEPAK GUPTA)
JUDGE**

April 28, 2025

Neetika Tuteja

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