



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

202

Criminal Revision No.707 of 2007 (O&M)

Date of decision: September 16th, 2025

Ram Kumar and others

.....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent: Mr. Pratap Singh Gill, Advocate
for the petitioners.Mr. G.S. Chhina, Senior Deputy Advocate General,
Haryana.Mr. Nishant Arora, Advocate
for Mr. Gaurav Mohunta, Advocate
for the complainant.**MANJARI NEHRU KAUL, J.**

Petitioners are challenging the judgment dated 15.03.2007 passed by learned Additional Sessions Judge, Fast Track Court, Ambala, whereby the appeal preferred by them against the judgment of conviction and order of sentence dated 08.04.2004 passed by learned Judicial Magistrate 1st Class, Ambala Cantt., in FIR No.35 dated 05.06.1993 under Sections 323, 325, 326, 506, 148, 149 of the IPC registered at Police Station Mahesh Nagar, Ambala, vide which the petitioners were convicted and sentenced as follows, was dismissed:

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
148 of the IPC	RI for 1 year	₹500/- each	-
323 of the IPC	RI for 1 year	-	-

326 of the IPC	RI for 3 years	₹1,000/- each	SI for 1 month
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2. All the sentences were ordered to be run concurrently.

3. At the outset, learned counsel for the petitioners has fairly conceded that, in light of the factual findings recorded by the learned trial Court, he will not press the instant petition on its merits. Instead, learned counsel seeks relief solely concerning the quantum of the sentence. Learned counsel argues that the FIR in question pertains to the year 1993, and the petitioners have endured the agony of a protracted trial for over 32 years. He further submits that the petitioners have led disciplined life since the crime in question and have not been involved in any other criminal case. Additionally, they have already served 2 months and 19 days of their substantive sentence of three years. Given these facts and circumstances, the learned counsel for the petitioner prays that a lenient view be taken and the quantum of sentence awarded by the learned trial Court be reduced to the period already undergone by the petitioners, as further imprisonment would serve no useful purpose.

4. Learned counsel for the State has, on instructions, not disputed that after the occurrence in question in the year 1993, the petitioners have maintained good conduct and have not been involved in any other untoward incident or criminal case.

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

6. In view of the fact that the FIR in question pertains to the year 1993, and as has not been disputed by the learned State counsel, the petitioners have been leading a disciplined life ever since then, this

Court does not deem it appropriate to send the petitioners behind bars at this juncture.

7. The ends of justice would be, thus, met if while maintaining the conviction of the petitioners, their substantial sentence of three years is reduced to the period already undergone.

8. Ordered accordingly.

9. However, the fine imposed upon each of the petitioners is enhanced from ₹500/- under Section 148 of the IPC and ₹1,000/- under Section 326 of the IPC to ₹5,000/- *in toto* to each of the petitioners, which shall be deposited with the Patients' Welfare Fund, Civil Hospital, Ambala Cantt.

10. It is made clear that in the event of failure on the part of the petitioners to deposit the enhanced fine within a period of one month from today, the benefit of reduction of sentence shall not accrue to them, and they shall be required to undergo the remaining part of the sentence awarded by the Courts below.

11. With above modifications, the revision petition stands disposed of.

12. Pending application, if any, stands disposed of.

September 16th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No