



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

208

CRR-3100-2010 (O&M)  
Date of Decision: 25.07.2025

Ram Lal and another

...Petitioners

V/s

The State of Haryana

...Respondent

**CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Deepak Aggarwal, Advocate, for petitioner No.1.

Mr. R.A. Sheoran, Advocate, for petitioner No.2.

Mr. Ved Parkash, Sr. DAG, Haryana

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**VIKRAM AGGARWAL, J (ORAL)**

The present revision petition assails the judgment dated 08.11.2010, passed by the Court of Additional Sessions Judge, Bhiwani vide which the appeal preferred by the petitioners against the judgment of conviction dated 20.10.2008 and order of sentence dated 21.10.2008, passed by the Court of Judicial Magistrate Ist Class, Siwani, was dismissed.

2. Vide judgment of conviction dated 20.10.2008, the Court of Judicial Magistrate Ist Class, Siwani convicted the petitioners under Section 7 of the Essential Commodities Act, 1955. Vide order of sentence dated 21.10.2008, the petitioners were sentenced to undergo rigorous imprisonment for a period of one year and a fine of Rs.500/- was also imposed. In default of payment of fine, the petitioners were ordered to undergo simple imprisonment for fifteen days.

3. As per prosecution case, a complaint was received from Surrender



Grover, owner of Surender Gas Services to the effect that the petitioners Ram Partap and Ramlal were indulging in selling illegal LPG cylinders from their shop. On the basis of the said complaint, SI reached AFSO Office, Siwani, formed a raiding party and a Rs.500/- currency note bearing No.5BM 928345 was taken from Surendra Grover and was initialed by SI Hawa Singh. Constable Mani Ram was sent as a dummy customer and was directed to fill up the empty cylinder by giving the said currency note and he was instructed to inform the raiding party when hands over the said currency note. After 10/15 minutes, Constable Mani Ram bought a cylinder and gave a signal to the raiding party, upon which, the raiding party recovered the said currency note along with twelve filled cylinders of Bharat Petroleum and one unfilled cylinder each of Bharat Petroleum and Hindustan Petroleum were also recovered, which were taken into possession. Ram Partap escaped and one empty Bharat Petroleum Cylinder, two empty Hindustan Petroleum, one empty Indane Cylinder, eight Bharat Petroleum and six Hindustan Petroleum Cylinders filled with LPG were recovered from the shop. All were taken into possession. Separate recovery memos were prepared and FIR was registered. After completion of investigation, *challan* was prepared and submitted to the Court. Charges were framed against the accused-petitioners under Sections 3 and 7 of the Essential Commodities Act, 1955, to which, they pleaded not guilty and claimed trial.

5. The trial Court convicted and sentenced the petitioners in the manner as referred to in the opening part of the judgment. The petitioners preferred an appeal which was also dismissed by the Court of Additional Sessions Judge, Bhiwani, leading to the filing of the present revision petition.

6. I have heard learned counsel for the parties.

7. At the outset, learned counsel representing the petitioners submit



that the petitioners do not challenge the judgment of conviction on merits. They, however, submit, for, the petitioners have undergone a protracted trial as FIR was registered against them in 2004, they were convicted vide judgment dated 20.10.2008 and even appeal was dismissed on 08.11.2010 after which the instant revision petition was filed in this Court, the sentence be modified to that already undergone by the petitioners. He submits that the petitioners have already undergone about two months of imprisonment and the fine stands deposited.

8. *Per contra*, learned State Counsel has opposed the prayer stating that the judgment of conviction and order of sentence deserve to be upheld.

9. Separate custody certificates dated 24.07.2025 filed in Court today are taken on record as per which appellant No.1 Ram Lal has undergone total sentence of 2 months (including remissions) and actual sentence of 1 month 28 days similarly by appellant No.2 Ram Partap.

10. I have considered the submissions made by learned counsel for the parties.

11. Concededly, FIR No181 dated 23.12.2004 was registered under Section 7 of the Essential Commodities Act, 1955 and LPG Regularization of Supply and Distribution Order, 2000 at Police Station Siwani. The petitioners were put to trial in 2004. They were convicted vide order dated 20.10.2008 and sentenced vide order dated 21.10.2008. Their appeal against the said decision was dismissed on 08.11.2010. Ever since then, their revision petition has been pending in this Court. The petitioners have faced the agony of trial and pendency of his appeal/revision etc. for the last almost 21 years. They have already undergone sentence of about two months. There is no history of the petitioners being previous offenders. Therefore, no useful purpose would be served by sending them to custody at this stage.



12. I have gone through the impugned judgments and on merits find them to be well reasoned. I do not, therefore, find any reason to interfere in them.

13. However, keeping in view the totality of the facts and circumstances, while maintaining the judgment of conviction, the order of sentence is modified to that already undergone by the petitioners.

With the aforesaid modification, the present revision petition is disposed of.

Pending application(s), if any, shall stand disposed of accordingly.

**(VIKRAM AGGARWAL)**  
**JUDGE**

**July 25, 2025**

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No