

2025:PHHC:126688



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CRR-2646-2009

Date of decision: September 15, 2025

KULDEEP SINGH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Varuna Singla, Advocate
for the petitioner.

Mr. G.S. Chhina, Sr. DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant revision petition has been preferred against the judgment of conviction/order of sentence dated 16.01.2007 passed by learned Judicial Magistrate Ist Class, Rohtak, in case FIR No.930 dated 22.12.1997 under Sections 420/465/468/471 of the Indian Penal Code, 1860, registered at Police Station Civil Line, District Rohtak, convicting and sentencing the petitioner, which judgment was upheld by the learned Additional Sessions Judge, Rohtak, on 17.09.2009.

2. The petitioner was sentenced to undergo imprisonment as follows:-

Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
420 IPC	RI for 2 years	Rs.1,000/-	RI for 15 days
471 IPC	RI for 2 years	-	-

2A. Both the sentences were ordered to be run concurrently.



3. 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 incident pertains to the year 1997, and the petitioner has already undergone incarceration for a period of 6 months and 5 days. 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.

4. *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 occurrence of the year 1997, the petitioner has maintained good conduct and has not been involved in any other criminal activity. He has also placed on record custody certificate of the petitioner in the Court today.

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

6. In the considered view of this Court, having regard to the facts enumerated hereinabove, particularly the circumstance that the incident



pertains to the year 1997, 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.

7. 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 two years is reduced to the period already undergone i.e. 6 months and 5 days.

8. Ordered accordingly.

9. However the fine imposed is enhanced from Rs.1,000/- to Rs.5,000/- to be deposited with the Haryana State Legal Services Authority within one month from the date of this order. It is made clear that in the event of non-deposit of the enhanced 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.

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

September 15, 2025

Jaspreet Kaur

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*