

2025:PHHC:082117



2025:PHHC:082133



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

**CRA-S-485-SB-2000 (O&M)**

**MUKHDEV SINGH AND ANOTHER**

... APPELLANTS

Vs.

STATE OF PUNJAB

.... RESPONDENT

**CRM-25285-2025 in/and  
CRR-653-2001**

**GURCHARAN SINGH AND ANOTHER**

.... PETITIONERS

Vs.

MUKHDEV SINGH AND OTHERS

.... RESPONDENTS

**Date of Decision: 09.07.2025**

**CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present: Mr.Jasdev Singh Mehndiratta, Advocate, and  
Ms. Navreet K. Dhaliwal, Advocate  
for the appellant (in CRA-S-485-SB-2000).

Mr.Animesh Sharma, Addl. A.G., Punjab.

Ms.Dheerja, Advocate,  
for the complainant (in CRA-S-485-SB-2000).  
for petitioner No.2 (in CRR-653-2001)

**DEEPAK GUPTA, J. (ORAL)**

Shinder Pal Kaur expired within 7 years of her marriage with Amrik Singh. FIR No.102 dated 10.12.1997 under Section 304-B IPC was registered in this regard at Police Station Sadar Mansa. Husband-Amrik Singh, parents-in-law Mukhdev Singh and Surjit Kaur; brother-in-law Gurpiar Singh and sister-in-law Paramjit Kaur of the deceased-Shinder Pal Kaur were tried by the Court of learned Additional Sessions Judge, Mansa. Vide judgment dated 05.05.2000, the sister-in-law and brother-in-law i.e. Paramjit Kaur and Gurpiar Singh, respectively were acquitted of the

charge. Husband-Amrik Singh expired during trial. Parents-in-law Mukhdev Singh and Surjit Kaur, who are now appellants before this Court, were acquitted of the charge under Section 304-B IPC, but were convicted under Section 306/34 IPC. Vide separate order of even date, both of them were sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of ₹5000/- each with default sentence of 6 months rigorous imprisonment in case of non-payment of fine.

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

3. Today learned counsel for the appellants stated at the outset that appellants do not press the appeal against the judgment of conviction; and that appellants confine their prayer only against order of sentence. It is submitted that appellants would be satisfied, in case they are sentenced to imprisonment for the period already undergone by them.

4. Learned counsel for the appellants pointed out that appellant No.1-Mukhdev Singh is now 87 years of age, whereas appellant No.2-Surjit Kaur is 86 years of age. Not only the fact that both of the appellants are at the prime age, appellant No.1-Mukhdev Singh has already undergone total sentence of 1 year 3 months and 26 days and appellant No.2-Surjit Kaur has already undergone total sentence of 9 months and 1 day. These facts are evident even from their respective custody certificates; therefore, they deserve to be sentenced for the period already undergone by them.

5. Learned State counsel has not seriously objected to the aforesaid factual position as well as the prayer made by counsel for the appellants.

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

7. Having regard to the advanced stage of the appellants, the present appeal is partly accepted. By maintaining the impugned judgment against conviction, the order of sentence as passed by the trial Court is modified and the appellants are sentenced to imprisonment for the period already undergone by them. 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 appellants will have to carry out the complete sentence as imposed by the trail Court.

**CRA-S-485-SB-2000** is disposed of.

9. So far as CRR-653-2001 is concerned, the same was moved by the complainant of the case for enhancing the sentence. However, the application bearing CRM-25285-2025 has been moved so as to withdraw the petitions [CRR-653-2001]. s

10. In view of the request made in the application [CRM-25285-2025] and reiterated by learned counsel for petitioner No.2-applicant, the present revision [**CRR-653-2001**] is hereby dismissed as withdrawn.

**09.07.2025**

*Vivek*

**(DEEPAK GUPTA)**  
**JUDGE**

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>