



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

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1. CRR No.1416 of 2008 (O&M)
2. CRR No.1417 of 2008 (O&M)
3. CRR No.1418 of 2008 (O&M)
4. CRR No.1419 of 2008 (O&M)
5. CRR No.1421 of 2008 (O&M)

Date of decision: August 28th, 2025

Buta Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kamal Gupta, Mr. Sanish Girdhar and
Mr. J.S. Warring, Advocates
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J.

This order shall dispose of above referred Criminal Revision Petitions as they all arise out of a common FIR No.169 dated 14.08.1991 under Section 408 of the IPC registered at Police Station Zira, pertaining to allegations of misappropriation of an amount of ₹1,39,395/- by the petitioner.

2. Petitioner is challenging the judgment of conviction and order of sentence dated 04.05.2007 passed by learned Sub Divisional Judicial Magistrate, Ferozpur, vide which he was convicted and sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of ₹800/-, appeal against which preferred by the petitioner was dismissed by the learned Additional Sessions Judge, Ferozpur, vide judgment dated 21.05.2008.

3. Learned counsel for the petitioner, at the very outset submits that he does not wish to assail the findings of conviction recorded by the learner trial Court on merits. His challenge is confined solely to the quantum of sentence. It is contended that the FIR in the present case dates back to the year 1991, and ever since, the petitioner has been facing the ordeal of protracted trial proceedings. Learned counsel further submits that the petitioner has already undergone a period of 4 months and 11 days out of imprisonment out of substantive sentence of two years awarded to him. It is urged that in view of the long lapse of time, coupled with the good conduct of the petitioner during the pendency of the proceedings, a lenient view be taken with respect to the sentence imposed.

4. *Per contra*, learned State counsel has opposed the plea for leniency. It has been submitted that the petitioner, while serving as Secretary in the Talwandi Jale Khan Cooperative Agricultural Society, misappropriated an amount of ₹1,39,395/-, which had been entrusted to him. The gravity of such an offence, according to the learned State counsel, disentitles the petitioner to any indulgence. At the same time, it is fairly admitted that the petitioner is not involved in any other FIR.

5. I have heard learned counsel for the parties and carefully perused the judgment passed by the learned trial Court as well as the Appellate Court affirming the conviction.

6. Both judgments have been rendered on proper appreciation of evidence and suffer from no perversity or illegality warranting interference with the conviction.

7. It is, however, undisputed that the FIR in question pertains to the year 1991 and that, apart from the present case, the petitioner has not

been involved in any other criminal case. He has borne the agony of prolonged litigation for nearly 34 years and has already undergone a substantial part of the substantive sentence. Taking into account the protracted pendency of the proceedings, the petitioner's otherwise clean antecedents, and the period of incarceration already undergone, this Court is of the considered view that the ends of justice would be adequately met if the substantive sentence of imprisonment is reduced to the period already undergone, while enhancing the quantum of fine imposed upon him.

8. Accordingly, while upholding the conviction of the petitioner under Section 408 of the IPC, the substantive sentence of two years rigorous imprisonment is reduced to the period already undergone. The fine imposed by the learned trial Court is, however, enhanced from ₹800/- in each of the cases to ₹5,000/- in each case.

9. It is made categorically clear that if the enhanced fine of ₹10,000/- is not deposited with the trial or successor Court, within two months from the date of this order, the benefit of reduction of sentence will not accrue to the petitioner, and he will be required to serve out the remaining part of his sentence. On deposit of fine, enhanced amount of fine shall be disbursed to complainant against proper receipt.

10. With the aforesaid modifications, the revision petitions stand disposed of.

11. Pending applications, if any, stand disposed of.

12. Copy of this order be placed on the file of each of the connected cases.

August 28th, 2025

Puneet

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No