

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CRA-S-1670-SB-2004 (O&M)****Date of Decision: 28.03.2025****NARINDER KUMAR AND ANOTHER**

. . . . APPELLANTS

Vs.

STATE OF PUNJAB

. . . . RESPONDENT

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

Present:- None for the appellants.

Mr. R.K. Takkar, DAG, Punjab.

**DEEPAK GUPTA, J.**

Appellant No.1-Narinder Kumar is the husband, and appellant No.2-Gurmej Kaur is the mother-in-law of Navjot Kaur. Both of them were tried by the Court of Id. Additional Sessions Judge (Ad hoc), Fast Track Court, Hoshiarpur in a case arising out of FIR 224 dated 28.06.2003 under Sections 307, 120B and 498-A IPC registered at Police Station Sadar, Hoshiarpur.

2. Allegations against the appellants-accused were that on 27.06.2003, accused-Narinder Kumar gave beatings to complainant-Navjot Kaur, poured kerosene oil on her body and set her on fire, causing various burnt injuries. The role attributed to the other co-accused-appellant No.2 Gurmej Kaur is that she remained silent spectator, as neither she carried injured Navjot Kaur to the hospital nor provided any medicines to her.

3. After trial, accused-Narinder Kumar was held to be guilty under Sections 307 and 498-A IPC; whereas accused-Gurmej Kaur was held to be guilty under Sections 307 read with Section 109 IPC and 498A IPC vide judgment dated 13.08.2004. Vide separate order of even date, they were sentenced as under:-

<b>Narinder Kumar</b>			
<b>Under Section</b>	<b>Period of sentence</b>	<b>Fine</b>	<b>Default Imprisonment</b>
307 IPC	5 years	₹1000/-	2 months
498A IPC	2 years	₹500/-	1 month
<b>Gurmej Kaur</b>			
307 r/w 109 IPC	5 years	₹1000/-	2 months
498-A IPC	2 years	₹500/-	1 month

Substantive sentences of both the accused were directed to run concurrently.

4. Against the aforesaid conviction and sentence, present appeal was filed. Same was admitted by this Court on 27.08.2004. Sentence of Gurmej Kaur (appellant No.2) was suspended on 18.03.2005; whereas sentence of Narinder Kumar (appellant No.1) was suspended on 22.07.2005.

5. Today, when the matter has been listed for hearing, nobody has put in appearance on behalf of the appellants.

6. This Court has carefully gone through the paper-book and has also heard learned State counsel.

7. After going through the impugned judgment, it is found that conviction has been recorded on the basis of proper appreciation of evidence on record. This Court is unable to find any illegality or perversity in the finding and as such, conviction as recorded by the trial Court is hereby maintained.

8. However, as far as order of sentence is concerned, it is noticed that appellant No.1-Narinder Kumar, husband of the complainant, has already undergone custody period of 3 years 2 months and 1 day out of the total sentence of 5 years. Appellant No.2-Gurmej Kaur has already undergone custody period of 1 year 11 months and 1 day. None of them are involved in any other criminal case. The offence was committed way back in 2003 i.e.

more than 21 years back. Sentence of the two appellants was suspended in 2005 i.e. approximately 20 years back.

9. Having noticed all the abovesaid circumstances, the fact that none of the appellants are involved in any other case and that both of them have already undergone substantial period of sentence as imposed upon them, this court is of the view that it will be in the interest of justice to modify the impugned order of sentence by reducing the sentence period to the period already undergone by them. Ordered accordingly. As far as the fine is concerned it will remain the same.

**28.03.2025**

*Vivek*

**(DEEPAK GUPTA)  
JUDGE**

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