



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

101 (1)

CRA-S-1768-SB-2004

Date of Decision.:02.05.2025

Manjit Kaur

.....Appellant

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rohit Singh, Advocate for the appellant.

Mr. R.K.S. Brar, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

Appellant Manjit Kaur was tried by learned Additional Sessions Judge, Yamuna Nagar in a case arising out of FIR No.183 dated 25.04.2002 under Sections 364, 171 of the IPC registered at Police Station City, Jagadhri. After trial, the appellant Manjit Kaur was convicted under Sections 364, 171 of the IPC vide judgment dated 10.08.2004 by the trial Court and was sentenced to undergo rigorous imprisonment for a maximum period of three years and to pay fine of ₹1,000/- with default sentence of 06 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 appellant stated at the outset that appellant does not press the appeal against the judgment of conviction; and that appellant confines her prayer only against order of sentence. It is submitted that appellant would be satisfied, in case she is sentenced to imprisonment for the period already undergone by her.

4. Learned counsel points out that offence pertains to the year 2002; that appellant Manjit Kaur has already undergone actual sentence of 04 months and 07 days and is not involved in another case and so, she deserves to be sentenced for the period already undergone by her.



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5. Learned State counsel has not seriously objected to the aforesaid prayer.

6. The custody certificate placed on record by the respondent-State would reveal that appellant Manjit Kaur has already undergone actual sentence of 04 months and 07days. It is revealed further that she has no criminal antecedents. Nothing has been brought on record to suggest that after their conviction, appellant has been involved in any other case.

7. 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 appellant, instead of sending her behind bars in the company of hardened criminals.

8. Consequently, 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 appellant Manjit Kaur is sentenced to imprisonment for the period already undergone by her.

9. 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 appellant will have to carry out the complete sentence as imposed by the trial Court.

Disposed of.

**(DEEPAK GUPTA)
JUDGE**

May 02, 2025

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No