



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

\*\*\*\*

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**CRR-2046-2010 (O&M)**

**Date of Decision.:28.04.2025**

**Baldev Singh**

.....Petitioner

**Vs.**

**State of Punjab**

.....Respondent

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

Present:- Mr. Ish Puneet Singh, Advocate  
for the petitioner.

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

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

Petitioner Baldev Singh was tried by learned Judicial Magistrate 1<sup>st</sup> Class, Ropar in a case arising out of FIR No.68 dated 29.08.2006 under Sections 279, 304-A of the IPC registered at Police Station Chamkaur Sahib. After trial, the petitioner Baldev Singh was convicted under Sections 279 and 304-A of the IPC vide judgment dated 01.09.2009 by the trial Court and was sentenced to undergo rigorous imprisonment for a maximum period of one year and to pay fine of ₹500/- with default sentence of 02 months simple imprisonment in case of non-payment of fine.

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

3. Today learned counsel for the petitioner stated at the outset that petitioner does not press the petition against the judgment of conviction; and that petitioner confines their prayer only against order of



sentence. It is submitted that petitioner would be satisfied, in case he is sentenced to imprisonment for the period already undergone by him.

4. Learned counsel points out that offence pertains to the year 2006; that petitioner Baldev Singh was of 62 years of age at that time; that petitioner Baldev Singh has already undergone actual sentence of 02 months and 04 days and is not involved in any other case and so, he deserves to be sentenced for the period already undergone by him.

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 petitioner has already undergone actual sentence of 02 months and 04 days. It is revealed further that they have no criminal antecedents. Nothing has been brought on record to suggest that after their conviction, petitioner has been involved in any other case. He was 62 years of age at the time of offence, which had taken place way back in 2006 i.e. 19 years back.

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

8. Consequently, the present revision petition is partly accepted. By maintaining the impugned judgment against conviction, the order of sentence as passed by the trial Court is modified and the petitioners Binder Singh and Darshan Singh are sentenced to imprisonment for the period already undergone by them.

9. However, it is made clear that amount of fine, if not paid



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earlier, shall be deposited before learned Chief Judicial Magistrate concerned, within a period of four weeks' from today, failing which the petitioners will have to carry out the complete sentence as imposed by the trial Court.

Disposed of.

**( DEEPAK GUPTA )  
JUDGE**

**April 28, 2025**

Neetika Tuteja

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