



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

205

CRR-1571-2012 (O&M)

Date of Decision.:09.05.2025

Jaswant Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioner.

Mr. Animesh Sharma, Addl. AG, Punjab.
(through Video Conferencing).

DEEPAK GUPTA, J. (ORAL)

Petitioner Jaswant Singh was tried by Ld. Sub-Divisional Judicial Magistrate Class, Dasuya in a case arising out of FIR No.37 dated 07.03.2004 under Sections 279, 338, 304-A of the IPC registered at Police Station Dasuya. After trial, the petitioner was convicted under Sections 279, 338, 304 and 304-A of the IPC vide judgment dated 06.08.2010 by the trial Court and was sentenced to undergo rigorous imprisonment for a maximum period of one year and to pay maximum fine of ₹500/- with default sentence of maximum 15 days rigorous imprisonment in case of non-payment of fine. On appeal, the judgment of conviction and order of sentence were upheld by the Court of Additional Sessions Judge, (Adhoc) Fast Tract Court-1, Hoshiarpur vide judgment dated 01.05.2012.

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

3. Today nobody is appearing on behalf of the petitioner. This Court has gone through the impugned judgments of Courts below and finds that conviction has been recorded after proper appreciation of the evidence on record. This Court does not find any reason so as to interfere in the impugned judgment of conviction and as such, the same is hereby

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maintained.

4. However as far as the impugned order of sentence is concerned it is noticed that petitioner was sentenced to undergo rigorous imprisonment for a maximum period of one year and to pay maximum fine of ₹500/- with default sentence of maximum 15 days rigorous imprisonment in case of non-payment of fine.

5. The order dated 30.07.2012, whereby sentence of the petitioner had suspended would reveal that petitioner had already undergone three months of actual sentence. The offence had taken place way back in 2004 i.e. 21 years back.

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 petitioner, instead of sending him behind bars in the company of hardened criminals.

7. 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 petitioner is sentenced to imprisonment for the period already undergone by him.

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

Disposed of.

**(DEEPAK GUPTA)
JUDGE**

May 09, 2025

Neetika Tuteja

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|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable | Yes/No |