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

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**CRR-1702-2023 (O&M)**

**Date of decision: 25.09.2025**

**Gursewak Singh**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. J. S. Dhaliwal, Advocate  
for the petitioner.

Mr. Vivek Sharma, AAG, Punjab.

**MANISHA BATRA, J. (Oral)**

1. The present revision petition has been filed against the judgment of conviction and order on quantum of sentence, both dated 12.12.2019, passed by the Court of learned Sub Divisional Judicial Magistrate, Sardulgarh in criminal case arising out of the FIR No. 78 dated 05.12.2015, registered under Section 61 of the Excise Act at Police Station Jourkian, whereby the petitioner was held guilty for commission of offence punishable under Section 61(1)(a) of the Punjab Excise Act and was sentenced to undergo simple imprisonment for a period of 02 years and to pay fine of Rs. 2 Lakhs with default clause of fine; as well as against the judgment dated 15.06.2023, whereby the appeal of the petitioner had been dismissed by the Court of learned Additional Sessions Judge.

2. Today, learned counsel for the petitioner has made a statement so as not to press the present revision against the judgment of conviction, passed by the trial Court, as well as the judgment passed by the appellate Court. Learned counsel confines his prayer against the order of sentence only. While submitting that the petitioner is in custody for a period of 11 months and 20 days, prayer is made that

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the sentence of the petitioner may be reduced to the period already undergone by him.

3. Learned State Counsel has no serious objection to the aforesaid prayer. He has filed custody certificate, as per which, the petitioner has already undergone actual sentence of 11 month and 20 days out of total sentence of 02 years as awarded by the trial Court and upheld by the appellate Court.

4. After hearing the counsel for the parties, I uphold the judgments of conviction passed by the Courts below, however, considering the fact that the petitioner has faced the agony of protracted trial and he has already undergone actual sentence of 11 month and 20 days, the order on quantum of sentence dated 12.12.2019 is modified to the extent that the same is reduced to the period already undergone by him. However, the fine imposed upon the petitioner is upheld.

5. The petitioner is directed to be released from custody forthwith on depositing fine as imposed by the trial Court.

6. Let a copy of this order be sent forthwith to Jail Superintendent as well as the Court concerned for compliance.

7. Since the main petition stands disposed of, pending application, if any, shall also be treated as disposed of.

**25.09.2025**

*Waseem Ansari*

**(MANISHA BATRA)  
JUDGE**

*Whether speaking/reasoned  
Whether reportable*

*Yes/No  
Yes/No*