



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

109

CRA-S-2054-SB-2004 (O&M)

Date of decision: 24.09.2025

Jai Bhagwan and anotherAppellants
Versus

State of HaryanaRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashit Malik, Advocate for the appellants.

Mr. Gagandeep Singh Chhina, Sr. DAG, Haryana.

MANJARI NEHRU KAUL, J.

1. The instant Criminal Appeal arises from the judgement of conviction/order of sentence dated 17.07.2004/20.07.2004 passed by learned Additional Sessions Judge, Panipat, whereby the appellants were convicted and sentenced, in case FIR No.50 dated 05.05.2000 under Sections 394 and 397 of the IPC and Section 25 of the Arms Act, 1959, registered at Police Station Israna, as follows :

Name of the convict	Offence(s) under Section	Period of sentence	Fine imposed	Period of sentence in default of payment of fine
Jai Bhagwan	394 IPC	RI for 07 years	Rs.3,000/-	RI for 1¾ years
	397 IPC	RI for 07 years	Rs.5,000/-	RI for 1¾ years
	25 Arms Act	RI for 03 years	Rs.1,000/-	RI for 09 months
Sandeep	394 IPC	RI for 07 years	Rs.3,000/-	RI for 1¾ years
	397 IPC	RI for 07 years	Rs.5,000/-	RI for 1¾ years
	25 Arms Act	RI for 02 years	Rs.500/-	RI for 06 months

2. Learned counsel for the appellants has, at the very outset, fairly conceded that in view of the findings of fact recorded by the learned Trial Court, he does not intend to assail the conviction of the

appellants on merits. His submission is confined solely to the quantum of sentence. It is urged that the incident pertains to the year 2000, and the appellants have already undergone incarceration for a period of more than four years. It is further submitted that the appellants have endured the ordeal of protracted criminal proceedings, are peace-loving and law-abiding citizen, and have no other criminal antecedents. On these premises, learned counsel pleads for a lenient view, contending that no useful purpose would be served by subjecting the appellants to further incarceration.

3. *Per contra*, learned State counsel has opposed the prayer for reduction of sentence while drawing attention to the findings recorded against the appellants, it has been submitted that the conviction calls for no interference. However, the learned State counsel is unable to dispute that subsequent to the incident of the year 2000, the appellants have maintained good conduct and have not been involved in any other criminal activity.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In the considered view of this Court, having regard to the facts enumerated hereinabove, particularly the circumstance that the incident is of the year 2000, and taking note of the fact—undisputed by the learned State counsel, that the appellants have not indulged in any other criminal act thereafter and have otherwise been leading a disciplined and law-abiding life, it would not be appropriate to send them back to prison at this stage of life, especially when they have

already borne the brunt of prolonged trial proceedings.

6. In the totality of circumstances, ends of justice would be adequately met if, while upholding the conviction of the appellants, their substantive sentence of rigorous imprisonment of 07 years is reduced to the period already undergone by them.

7. Ordered accordingly.

8. However, the fine imposed imposed upon the appellants is enhanced from Rs.5,000/- to Rs.20,000/- each under Section 397 of IPC. The enhanced amount of fine is to be deposited with the “Haryana State Legal Services Authority” within one month from the date of this order and a copy of the receipt of fine deposited be produced before the Chief Judicial Magistrate concerned. It is made clear that in the event of non-deposit of the enhanced fine within a period of one month from today, the benefit of reduction of sentence shall not accrue to the appellants, and they shall be required to undergo the remaining part of the sentence awarded to them.

9. With the aforesaid modification in the quantum of sentence and enhancement of fine, the instant appeal stands disposed of.

10. Pending applications, if any, also stand disposed of.

24.09.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No