

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

Crl. Rev. No.83 of 2006

Date of Decision: 19.09.2013

Ram Pal

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- None for the petitioner.

Mr. Rajat Mor, A.A.G., Haryana
for the respondent-State.

DAYA CHAUDHARY, J.

The present revision petition has been filed by the petitioner to challenge the judgment of conviction and order of sentence passed by the trial Court as well as by the first Appellate Court.

The petitioner faced trial for offence under Sections 409, 420, 468 and 471 IPC and was sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of ₹ 1,000/- for offence under Section 408 IPC and was further ordered to undergo rigorous imprisonment for a period of one year and to pay a fine of ₹ 500/- each for offence under Sections 468 and 471 IPC with default clause. The said judgment of trial Court was challenged by the petitioner by way of filing appeal before the Additional Sessions Judge, Kaithal. However, the same was also dismissed vide order dated 24.12.2005 and the judgment of conviction and order of sentence passed by the trial Court was upheld. Hence, the present revision

petition.

The revision petition was admitted on 02.03.2006 and the sentence of the petitioner was also suspended on that very day.

The revision petition is of the year 2006 and the same has been listed for hearing but none has appeared on behalf of the petitioner.

On perusal of judgments of both the Courts below and also after going through the grounds of revision and also keeping in view the fact that the petitioner is facing the agony of trial since the institution of case i.e 09.10.1993 and has already been released on bail as his sentence was suspended by this Court; it was also the case of the petitioner before the trial Court at the time of passing of order of sentence that he is the only bread earner of his family and is not a habitual offender, a request was also made to take lenient view in the case but his request was not accepted, in the interest of justice and keeping in view the fact that he has already suffered a lot since the year 1993, the conviction of the petitioner is upheld and his sentence is reduced to the period already undergone.

The revision petition is disposed of with the modification in sentence as above. However, the sentence of fine shall remain the same.

19.09.2013
gurpreet

(DAYA CHAUDHARY)
JUDGE