

Present : Vs. State of Punjab

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Court : Punjab and Haryana

Decided On : Aug-19-2014

Appellant : Present :

Respondent : State of Punjab

Judgement :

C.R.R.No.983 of 2014 (O&M) 1 IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH C.R.R.No.983 of 2014 (O&M) Date of Decision : 19.08.2014 Darshan SinghPetitioner.

Versus State of PunjabRespondent CORAM : HON'BLE Mr.JUSTICE AJAY TEWARI Present : Mr.G.S.Sandhu, Advocate, for the petitioner.

Ms.Amarjit Kaur Khurana, Addl.

AG, Punjab.

**** AJAY TEWARI, J.

(ORAL) This petition was filed for suspension of sentence however, with the consent of learned counsel, the main petition has been taken up for hearing since, it is a small matter.

Learned counsel for the petitioner has prayed that the sentence of the petitioner should be reduced.

He has argued that the petitioner was sentenced to one year rigorous imprisonment since he was caught with 15 kg of Lahan and one bottle of illicit liquor.

As per the learned counsel for the petitioner is a fiRs.offender and in fact should have been considered for release on probation.

Learned Addl.

AG, Punjab has argued that the petitioner was not only apprehended with lahan, but even a working still was SANJAY KHAN201408.21 15:32 I attest to the accuracy and integrity of this document C.R.R.No.983 of 2014 (O&M) 2 recovered and in the circumstances she has prayed that the benefit of probation of Offenders Act should not be given to the petitioner and as per learned Addl.

AG, Punjab the sentence is commensurate with the offence.

In my considered opinion, the arguments of both learned counsels are too extreme.

No doubt the petitioner should not be granted the benefit of Probation of Offenders Act, but in the circumstances of the case in my considered opinion some reduction in the sentence is called for.

Resultantly, I reduce the sentence of the petitioner to eight months of rigorous imprisonment.

Revision stands disposed of.

19.08.2014 (AJAY TEWARI) 's.khan' JUDGE SANJAY KHAN201408.21 15:32 I attest to the accuracy and integrity of this document

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