



CRR-1696-2007 (O&M)

-1-

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

244

CRR-1696-2007 (O&M)
Date of decision: 21.04.2026

Booli @ Gurmukh Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE H.S. GREWAL

Present:- Ms. Vini Rana, Advocate and
Mr. Rajat Dogra, Advocate for petitioner No.1, 3 & 4.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. At the very outset, learned counsel for the petitioners submits that during the pendency of the revision petition, petitioner No.2, namely, Jagir Singh expired and the proceedings qua him may be abated.

2. In view of the above, the revision petition qua petitioner No.2, namely, Jagir Singh stands abated.

3. This revision petition has been filed against the judgment dated 03.08.2007 passed by the learned Additional Sessions Judge, Ferozepur whereby the judgment of conviction and order of quantum of sentence dated 30.05.2001 passed by learned Judicial Magistrate 1st Class, Ferozepur has been upheld, in case FIR No.124 dated 01.05.1995, under Sections 326/324/323/34 IPC, registered at Police Station Sadar Ferozepur and petitioners No.1, 3 & 4



2026:PHHC:060315



2026:PHHC:060315

CRR-1696-2007 (O&M)**-2-**

had been convicted and sentenced to undergo imprisonment along with fine as under:-

Name of the accused/petitioner	Section(s)	Sentenced to undergo	Fine	In default of payment of fine
Booli @ Gurmukh Singh	326 IPC	RI 02 ½ years	Rs.500/-	01 month
	324/34 IPC	RI 01 year	Rs.250/-	15 days
	323/34 IPC	RI 03 months	Rs.100/-	07 days
Satnam Singh	326/34 IPC	RI 02 years	Rs.400/-	01 month
	324 IPC	RI 01½ years	Rs.400/-	15 days
	323/34 IPC	RI 03 months	Rs.100/-	07 days
Bachan Singh	326/34 IPC	RI 02 years	Rs.400/-	01 month
	324/34 IPC	RI 01 years	Rs.250/-	15 days
	323 IPC	RI 06 months	Rs.100/-	07 days
It was ordered that all the sentences shall run concurrently.				

4. The brief facts of the case are that the complainant-Inder Kaur lodged a complaint on 01.05.1995 to the effect that at about 07:00 P.M., she along with her husband-Pritam Singh, her brother-Tarlok Singh and her nephew Bagicha Singh were returning to their house after taking the fodder from the fields. When they reached near the house of Kuldip Singh, then Bachan Singh (petitioner No.4), who was armed with “Dang”, Booli @ Gurmukh Singh (petitioner No.1), who was armed with “Kirpan”, Jagir Singh (petitioner No.2), who was armed with “Takua”, Satnam Singh (petitioner No.3), who was armed with “Takua” came there. Accused-Bachan Singh raised *Lalkara* to catch the complainant party. Thereafter, accused-Booli gave a *Kirpan* blow on the right arm of the complainant. Then her husband came forward to rescue her, accused-Jagir Singh gave a ‘Takua’ blow from the reverse side on the head of her husband. Accused-Bachan Singh gave two blows with “Dang” on right and left hand of her husband. When her brother-Tarlok Singh tried to save them,

**CRR-1696-2007 (O&M)****-3-**

accused-Satnam Singh gave a *Takua* blow on the left leg of Tarlok Singh. Accused-Bachan Singh also gave one blow of Daang on the forehead of her brother. Thereafter, the complainant raised hue and cry and all the accused persons ran away along with their respective weapons from the spot. The motive attributed to the petitioners is that the accused persons had kept the illicit liquor in their wheat crop and before two days of the alleged incident, when they were harvesting the wheat crop, then the tube of illicit liquor was punctured during the course of harvesting and as a grudge thereto, they inflicted injuries on the complainant party.

5. Learned counsel for petitioners No.1, 3 & 4 submits that she is not assailing the judgment of conviction on merits, rather restricts her prayer qua modification of the order of sentence to the period already undergone as the petitioners No.1, 3 & 4 have been suffering the agony of trial since 01.05.1995. She also submits that without referring to the merits of the case, she prays for reduction of sentence while taking a lenient view on the ground that they have already undergone sentence of more than 08 months and 11 days out of the total sentence of 2½ years and now they have become senior citizens.

6. On the other hand, learned State counsel opposes the prayer of the petitioners No.1, 3 & 4 by way of filing of custody certificate of petitioner No.1 dated 20.04.2026 on the ground that the learned Courts below have passed well-reasoned judgments after taking into consideration the entire evidence and the material available on record and there is no perversity or illegality in the findings returned by it.



CRR-1696-2007 (O&M)

-4-

7. I have heard learned counsel for the parties and have gone through the material placed on record.
8. The FIR in the present case pertains to the year 1995 and the petitioners No.1, 3 & 4 have already faced the rigors of the trial for more than 30 years.
9. Hon'ble the Supreme Court in "***Deo Narain Mandal Vs. State of UP***", (2004) 7 SCC 257, has held that awarding of sentence is not a mere formality in criminal cases. When a minimum and maximum term is prescribed by the statute with regard to the period of sentence, a discretionary element is vested in the Court. Background of each case, which includes factors like gravity of the offence, the manner in which the offence is committed, age of the accused, should be considered while determining the quantum of sentence and this discretion is not to be used arbitrarily or whimsically. After assessing all relevant factors, proper sentence should be awarded bearing in mind the principle of proportionality to ensure the sentence is neither excessively harsh nor does it come across as lenient.
10. Further, a two-Judges Bench of the Hon'ble Supreme Court in ***Ravada Sasikala Vs. State of AP***, AIR 2017 SC 1166, has held that the imposition of sentence also serves a social purpose, as it acts as a deterrent by making the accused realise the damage caused not only to the victim, but also to the society at large. The law in this regard is well settled that opportunities of reformation must be granted and such discretion is to be exercised by evaluating all attending circumstances of each case by noticing the nature of the crime, the manner, in which the crime was committed and conduct of the

**CRR-1696-2007 (O&M)**

-5-

accused to strike a balance between the efficacy of law and the chances of reformation of the accused.

11. A perusal of the judgment of conviction passed by the learned trial Court indicates no perversity in its findings and the same is based on correct appreciation of evidence available on record. However, learned counsel for the petitioners No.1, 3 & 4 has not assailed the judgment of conviction on merits, rather restricted the prayer only qua modification of quantum of sentence to that of the sentence already undergone by petitioners No.1, 3 & 4.

12. As far as the question of quantum of sentence is concerned, it is worthwhile to note that the occurrence in this case pertains to the year 1995. The right to speedy and expeditious trial is one of the most valuable and cherished rights guaranteed under the Constitution. Petitioners No.1, 3 & 4 have already suffered the agony of protracted trial, spanning over a period of more than 30 years and have been in the corridors of the Court for this prolonged period. In view of the facts noted above, the case of petitioners No.1, 3 & 4 deserves to be dealt with leniency. Petitioners No.1, 3 & 4 also deserve the benefit of the consistent view taken by this Court in this regard. Thus, guided by the judicial pronouncements made by the Hon'ble Supreme Court in the cases of *Haripada Das Vs. State of West Bangal* reported in (1998) 9 SCC 678 and *Alister Anthony Pareira vs. [2023:RJ-JD:28174] (5 of 5) [CRLR-755/2003] State of Maharashtra reported in 2012 2 SCC 648* and considering the facts and circumstances of the case, age of petitioners No.1, 3 & 4, their status in the society and the fact that they faced financial hardship and had to go through mental agony, this Court is of the view that ends of justice would be

**CRR-1696-2007 (O&M)****-6-**

met, if sentence imposed upon petitioners No.1, 3 & 4 is reduced to the period as already undergone by them.

13. Accordingly, the judgments passed by the learned Appellate Court as well as the learned JMIC, Ferozepur are hereby affirmed but the quantum of sentence awarded by the Courts concerned under Sections 326, 324 & 323 read with Section 34 IPC has been modified and reduced to the period of sentence as already undergone by them. Petitioner Nos.1, 3 & 4 are on bail. They need not surrender. Their bail bonds are discharged.

14. With these modifications, the present revision petition is disposed of.

15. Pending application(s), if any, shall also stand disposed of.

(H.S. GREWAL)
JUDGE

April 21, 2026
Sonia

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