

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Revision Petition No. 755/2008

Bablu @ Ranjeet @ Rajendra son of Jang Singh, resident of
Shyam Nagar, Purani Abadi, Sri Ganganagar
(Lodged in District Jail, Sri Ganganagar)

-----Petitioner

Versus

State of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. PK Rawla
For Respondent(s)	:	Mr. Surendra Bishnoi, AGA

HON'BLE MR. JUSTICE FARJAND ALI

Order

DATE OF CONCLUSION OF ARGUMENTS	:	08/04/2026
DATE ON WHICH ORDER IS RESERVED	:	08/04/2026
FULL ORDER OR OPERATIVE PART	:	Full Order
DATE OF PRONOUNCEMENT	:	30/04/2026

BY THE COURT:-

1. The matter pertains to an incident which occurred in the year 2006 and the present criminal revision has been pending since the year 2008.
2. This criminal revision petition under Section 397 read with Section 401 Cr.P.C. has been preferred against judgment dated 13/20.02.2007 passed by learned Chief Judicial Magistrate, District Sri Ganganagar in Criminal Regular Case No.106/2006 whereby the learned Magistrate convicted the accused Bablu @ Ranjit @ Rajendra and has sentenced him as follows :-

454/75 IPC : 05 years RI and a fine of Rs.500/-
in default of payment of fine to
further undergo 01 month's SI.

380/75 IPC : 05 years RI and a fine of Rs.500/-
in default of payment of fine to
further undergo 01 month's SI.

3. An appeal was preferred against the aforementioned judgment, in which, learned Additional Sessions Judge, No.2, Sri Ganganagar passed a judgment dated 08.05.2008 in Criminal Appeal No.16/2007 and dismissed the appeal and affirmed the judgment dated 13/20.02.2007.
4. Learned counsel for the petitioner, however, makes a limited submission that without making any interference on merits/conviction, the sentence awarded to the present petitioner may be substituted with the period of sentence already undergone by him.
5. Learned Public Prosecutor opposes the same.
6. Heard learned counsel for the parties.
7. For the purpose of satisfaction, this Court has carefully gone through the record of the case. Upon such examination, this Court is of the opinion that no illegality or perversity has been committed by the Courts below in recording concurrent findings of conviction. Thus, no interference is called for in the findings of conviction recorded by the Courts below. Thus, the conviction of the petitioner for the aforesaid offences is affirmed and the revision petition stands dismissed to that extent.

8. However, as regards the question of sentence, it is noted that the incident in question pertains to the year 2006, and a considerable period has elapsed since then. The complainant, Rajendra Kumar, submitted a written report at Police Station Kotwali, District Sri Ganganagar, stating that he was residing near Baba Nirwan. It was alleged that on the said date at about 2:00 PM, while he was inside his house, one person entered the backside portion of the house and, after stealing a water pump-motor, attempted to flee from the spot. Upon raising hue and cry, his neighbours, namely Jitendra Singh, Dhunna and Manoj Singh, immediately reached there and, after chasing, apprehended the said person. The matter pertains to a mere theft of a motor pump. The petitioner is a very poor person, and considering the long lapse of time since the incident, it would not be justifiable to send him to jail for such a minor offence.
9. In light of the limited prayer made on behalf of the petitioners, the present petition is partly allowed. Accordingly, while maintaining the conviction of the petitioner, the sentence awarded to him is reduced to the period already undergone by him. His bail bonds stand discharged.
10. All pending applications stand disposed of.
11. Record be sent back forthwith.

(FARJAND ALI),J