

Paramjit Singh Vs State of Punjab

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: April 27, 2005

Acts Referred: Criminal Procedure Code, 1973 (CrPC) â€” Section 313
Penal Code, 1860 (IPC) â€” Section 468

Citation: (2005) 14 CriminalCC 428

Hon'ble Judges: S.N. Aggarwal, J

Bench: Single Bench

Advocate: Anmol Rattan Sidhu, Dy. Advocate General, Punjab, for the Respondent

Judgement

S.N. Aggarwal, J.

The present petition has been filed by the petitioner against the judgment dated 12.7.2000 passed by the court of

learned Additional Sessions Judge, Jalandhar by which the judgment of conviction and sentence dated 28.4.1999 passed by the court of Sh. H.S.

Grewal, Judicial Magistrate 1st Class, Jalandhar, was upheld.

2. The present case was registered on the letter sent by District Transport Officer, Jalandhar to the SHO Police Station, Division No.4, Jalandhar.

3. According to the prosecution case, on 7.8.1991, one Faquir Singh produced a certificate in respect of his scooter No. PUX-3143 before the

District Transport Officer, Jalandhar, according to which the token tax for the quarters 1985-86 to 4th quarter 1990-91 was paid. The District

Transport Officer, Jalandhar, forwarded the same to the District Transport Officer, Kapurthala about the verification as this certificate was

allegedly signed by the said District Transport Officer, Kapurthala. The District Transport Officer, Kapurthala reported that this certificate was not

issued by him. Accordingly, the District Transport Officer, Jalandhar, reported the matter to the police regarding forgery of this certificate.

4. During investigation, it was found that the said certificate was forged by Paramjit Singh-Petitioner after receiving a sum of Rs.300/- from Faquir

Singh.

5. In support of its case, the prosecution examined Faquir/Singh as PW1, Ranjit Singh as PW2, Subhash Chander as PW3, Tarlochan Singh as

PW4, ASI Mohinder Singh as PW5, Arjan Singh as PW6, Mohan Lal Clerk as PW7, S.S. Bains, District Transport Officer, Jalandhar as PW8

and the prosecution closed its evidence.

6. In his statement recorded u/s 313 Cr.P.C, the petitioner claimed to be innocent and pleaded false implication.

7. However, he did not lead any defence evidence.

8. On the basis of this evidence, the learned trial court vide judgment dated 28.4.1999, found the accused guilty for having committed offences

punishable under Sections 465, 468 and 471 and the petitioner was sentenced to undergo rigorous imprisonment for a period of two years u/s 468

IPC. He was also burdened with the fine amounting to Rs. 1,000/- and in default of payment of fine, he was to further undergo rigorous

imprisonment for a period of two months. He was also awarded lesser sentence for offences punishable under Sections 465 and 471 IPC, besides

the fine amount of Rs.500/- for each offence.

9. The petitioner filed an appeal. Learned lower appellate court upheld the conviction vide judgment dated 12.7.2000. However, the sentence of

imprisonment was reduced to one year.

Hence the present revision petition.

10. I have gone through the statements of the witnesses recorded in this case. The prosecution has clearly proved the charge against the accused.

Therefore, the conviction of the petitioner is upheld.

11. However, the petitioner has already undergone more than 4 months imprisonment. The charge against the accused was that he had forged a

certificate for Rs.300/-. He has already faced the trial for more than 13 years as the forgery was detected on 7.8.1991. He was convicted by the

learned trial court vide judgment dated 28.4.1999. His appeal was dismissed on 12.7.2000. Since then, his revision petition is pending in this

court.

12. Therefore, the sentence of the petitioner is reduced to one already undergone by him.

Disposed of.