

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.228 OF 2026
@ SPECIAL LEAVE PETITION (CRIMINAL) NO.805/2026
@ DIARY NO.4835/2025

AMIT SINGLA

APPELLANT

VERSUS

UNION TERRITORY CHANDIGARH

RESPONDENT

O R D E R

1. Heard.
2. Leave granted.
3. The appellant came to be prosecuted for an offence punishable under Section 456 of the Indian Penal Code, 1860 ("the IPC") in connection with an incident that took place in the early hours of 13.08.1995. It is the case of the prosecution that the appellant had been making phone calls to the complainant's wife and harassing her and on the said date, unlawfully entered into complainant's house at night with an illicit intent and on being apprehended at the spot, the scooter belonging to him was seized resulted in criminal prosecution

being initiated against him for the offence punishable under Section 456 of the IPC and after trial, he was sentenced to undergo imprisonment for six months with a fine of Rs.500/-.

4. The appellate court by which the order of conviction and sentence was challenged had re-appreciated the evidence and upheld the conviction but reduced the sentence to three months rigorous imprisonment by judgment dated 18.02.2010. The same is under challenge before this Court.

5. We have heard the learned counsel appearing for the parties and take note of the fact that learned Senior Counsel appearing for the appellant does not seriously press the charge challenging conviction and makes a limited prayer for reduction of sentence on the two primary grounds namely:

- (i) The incident having occurred thirty years back and subsequent to the said alleged act, there being no allegation of any sort whatsoever against the appellant and;
- (ii) he has hastened to add that the

appellant is now a reputed contractor and also a reformed human being and as such he prays for reduction of the sentence.

6. Whereas, the learned counsel appearing for the State vehemently opposes the same and contends that there is no infirmity whatsoever in the impugned order which would warrant interference and seeks for dismissal of the appeal.

7. Having heard the learned counsels appearing for the parties and on perusal of the records, we notice that the conviction under Section 456 of the IPC is based on consistent eye witnesses testimony and is supported by circumstantial evidence including recovery of the vehicle. Hence, we are not inclined to interfere with the concurrent findings of conviction which based on appreciation of the facts as recorded by the courts-below.

8. However, as regards the quantum of sentence, we find that ends of justice would be met adequately by restricting it to the sentence of

punishment already undergone, as the incident had occurred in the year 1995, and the appellant was then young namely aged about 19 years at the time of offence and not being fully conversant with the consequences that would follow of his act seem to have committed such an act for which he has been punished and has undergone sentence of 15 days. He has no criminal antecedents either before or after the incident and has suffered the rigour of criminal litigation for almost thirty years which in disguise is also a punishment for him. In similar circumstances, this Court in the case of Amit Vs. State of U.P., reported in 2012 (4) SCC 107 has held that the long passage of time without repeat offence, particularly the cases involving short custodial sentences and non-heinous crimes constitute a valid ground for exercising discretion in favour of reduction of sentence. Hence, taking into account the period of actual incarceration already undergone, the long delay in conclusion of the criminal proceedings and in

absence of any aggravating circumstances, we are of the opinion that no useful purpose would be served by directing the appellant to undergo the remaining portion of the sentence at this stage.

9. Accordingly, the sentence of three months of rigorous imprisonment awarded to the appellant by the High Court under the impugned order is reduced to the period already undergone. The conviction and imposition of fining of Rs.500/- is enhanced to Rs.5,000/- and same shall be paid within four weeks from today. In that view of the matter, the appeal stands allowed in part to the extent indicated above.

10. Pending application(s), if any, stands consigned to records.

.....J.
(ARAVIND KUMAR)

.....J.
(PRASANNA B. VARALE)

NEW DELHI;
JANUARY 13, 2026.

ITEM NO.9

COURT NO.16

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary
No(s).4835/2025

[Arising out of impugned final judgment and order dated 18-02-2010 in CRR No.1201/2002 passed by the High Court of Punjab & Haryana at Chandigarh]

AMIT SINGLA

Petitioner(s)

VERSUS

UNION TERRITORY CHANDIGARH

Respondent(s)

[FOR FINAL DISPOSAL]

IA No. 35171/2025 - CONDONATION OF DELAY IN FILING

IA No. 35175/2025 - EXEMPTION FROM SURRENDERING
WITHIN TIME

IA No. 55922/2025 - SUSPENSION OF SENTENCE

Date : 13-01-2026 This matter was called on for
hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Dr. Menaka Guruswamy, Sr. Adv.
Ms. Bhumika Yadav, Adv.
Mr. Kawalpreet Singh Virk, Adv.
Ms. Payal Sharma, Adv.
Mr. Somanatha Padhan, AOR
Mr. Akash Kakade, Adv.

For Respondent(s) : Mr. Bhuvan Kapoor, Adv.
Mr. Varun Chugh, Adv.
Mr. Krishna Kant Dubey, Adv.
Mr. Santosh Ramdurg, Adv.

Mr. Shreekant Neelappa Terdal, AOR

UPON hearing the counsel the Court made the
following

O R D E R

Delay condoned.

Leave granted.

Civil Appeal is allowed in part in terms of
the signed order placed on the file.

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

(NEHA GUPTA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)