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			<u>CRLR/558/2026</u> Madan Singh --Revisionist Versus State Of Uttarakhand and Another --Respondents <u>Hon'ble Alok Mahra, J.</u> Mr. Mukul Singh Dangi, learned Legal Aid Counsel for the revisionist. Mr. S.C. Dumka, learned A.G.A. assisted by Mr. Nikhil Bisht, learned Brief Holder for the State of Uttarakhand. 2. The present Criminal Revision has been filed against the order dated 25.05.2026, passed by the learned Sessions Judge, Champawat, District Champawat in Misc. Criminal Case No. 24 of 2026, "<i>Madan Singh vs. State of Uttarakhand</i>", whereby the appeal preferred by the revisionist along with an application for condonation of delay was dismissed. Consequently, the order granting the benefit of probation to the revisionist was recalled and he was directed to undergo the substantive sentence awarded by the trial Court. 3. Brief facts of the case are that the revisionist was convicted and sentenced to undergo simple imprisonment for a period of three years under Section 380 of the Indian Penal Code, along with a fine of Rs. 5,000/-. In default of payment of fine, he was directed to undergo one month's simple imprisonment. However, considering that the revisionist had no previous criminal antecedents, the learned trial Court extended to him the benefit of the Probation of Offenders Act and released him on probation for a period of one year. 4. During the period of probation, the revisionist was arrested in connection with offences punishable under Sections 303 (2)



		and 317(2) of the Bharatiya Nyaya Sanhita, 2023. Consequently, proceedings were initiated before the appellate Court. The revisionist preferred an appeal along with an application under Section 5 of the Limitation Act seeking condonation of delay. The learned appellate Court rejected the application for condonation of delay and, as a consequence thereof, dismissed the appeal. Thereafter, vide the impugned order dated 25.05.2026, the learned Court recalled the order granting probation and directed the revisionist to undergo the substantive sentence of three years' simple imprisonment awarded by the trial Court. 5. Learned State Counsel submits that the revisionist was granted the benefit of probation solely on account of his good conduct and absence of any previous criminal history. However, during the subsistence of the probation period, he again involved himself in criminal activities and was arrested in connection with offences under Sections 303(2) and 317(2) of the Bharatiya Nyaya Sanhita, 2023. It is, therefore, submitted that the learned Court below has committed no illegality in recalling the order of probation and directing the revisionist to undergo the sentence awarded to him. 6. Having heard learned counsel for the parties and upon perusal of the record, this Court finds that the revisionist was granted the benefit of probation in lieu of undergoing the sentence awarded by the trial Court. The object of releasing an offender on probation is to provide an opportunity for reformation subject to his maintaining good conduct during the probation period. The record reveals that during the currency of the probation period, the revisionist was arrested in connection with fresh criminal offences under Sections 303(2) and 317(2) of the Bharatiya Nyaya Sanhita, 2023. Thus, the very condition on which the benefit of probation had been extended stood violated.
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			7. This Court is of the considered opinion that once the revisionist failed to maintain good conduct during the probation period, the learned Court below was fully justified in recalling the order granting probation and directing him to undergo the substantive sentence imposed by the trial Court. No illegality, perversity, or jurisdictional error is discernible in the impugned order warranting interference in the exercise of revisional jurisdiction. 8. Accordingly, the present Criminal Revision, being devoid of merit, is hereby dismissed. 9. Pending application(s), if any, shall also stand disposed of. (Alok Mahra, J.) 27-07-2026 SE BINOLLA
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