

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

**Crl. Appeal S-3738-SB of 2013
Date of Decision: July 14, 2015**

Ayub and others

.....Appellants

Versus

State of Haryana

..... Respondent

**CORAM : HON'BLE MR. JUSTICE T.P.S.MANN
HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN**

Present : Mr. Jagdish Manchanda, Advocate
for the appellant.

Mr. Praveen Bhadu, Assist. A.G., Haryana.

Mr. M.S.Rana, Advocate
for the complainant.

T.P.S.MANN, J.

The appellants have filed the present appeal for challenging the judgment and order dated 10.7.2013 passed by the Additional Sessions Judge, Yamuna Nagar at Jagadhri, to the extent of convicting them under Sections 148 and 323 read with Section 149 IPC. They have also prayed for setting aside the order dated 10.7.2013 passed by the trial Court releasing them on probation for committing the aforementioned offences.

At the outset, learned counsel for the appellants

submits that as this Court has dismissed the appeal filed by the complainant for challenging the acquittal of the appellants of the offences under Sections 436/429/506/149 IPC by an order of even date, the appellants do not press the present appeal as after convicting them under Sections 148 and 323 read with Section 149 IPC, the trial Court, instead of sentencing them, has already granted the benefit of probation under Section 4 of the Probation of Offenders Act, 1958 read with Section 360 of the Code of Criminal Procedure. Even otherwise, the period of one year for which the appellants were bound down for keeping peace and be of good behaviour, has since expired.

Accordingly, the appeal is, hereby, dismissed as withdrawn.

**(T.P.S. MANN)
JUDGE**

**July 14, 2015
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**(MAHAVIR S. CHAUHAN)
JUDGE**