

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

CRR No.1446 of 2006
Date of decision: 06.05.2015

Intazar & others Petitioners

versus

State of Haryana Respondents

CORAM: HON'BLE MR. JUSTICE MAHESH GROVER

Present: Mr. Amit Parashar, Advocate
for the petitioners.

Mr. Pawan Girdhar, Addl. AG, Haryana.

MAHESH GROVER, J.

The present revision petition is directed against the judgment of conviction dated 16.12.2000 and order of sentence dated 18.12.2000 passed by Addl. Chief Judicial Magistrate, Rewari vide which they were sentenced to undergo R.I. for a period of six months and to pay a fine of Rs.5,000/- in a case FIR No.396 dated 10.12.1996 registered under Sections 65, 68, 61, 1 and 14 of Excise Act at Police Station City Rewari. The appeal filed against the order of Chief Judicial Magistrate, Rewari was dismissed vide order dated 07.07.2006.

It is stated by learned counsel for the petitioners that petitioner No.2 – Mohan Lal has already undergone the entire sentence of 06 months awarded to him. The State counsel, who has produced the custody certificate, has not controverted the said fact.

Therefore, the present petition qua petitioner No.2 – Mohan Lal has become infructuous and is disposed of as such.

On behalf of petitioner No.1 – Intazar, it has been contended by learned counsel for the petitioners that petitioner No.1

has undergone two months and 23 days out of total sentence of 6 months awarded to him.

Learned counsel for the petitioners does not dispute the issue on merits but prays for a lenient view for petitioner No.1 as he was not a previous convict.

On due consideration of the matter and noticing the fact that the occurrence took place in the year 1996 and the petition is pending for the last 9 years, I deem it appropriate to release petitioner No.1 on probation for a period of six months on his furnishing adequate probation bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Rewari.

The present petition stands disposed of.

06.05.2015
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(MAHESH GROVER)
JUDGE