

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

CRR No. 376 of 2007

Date of decision : 02.12.2015

Suraj Bhan & ors.

....Petitioners

V/s

State of Haryana & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: None for the petitioners.

Mr. Arun Luthra, AAG Haryana.

RAJAN GUPTA J.

Present revision petition is directed against the judgment dated August 02, 2006 passed by Additional Sessions Judge, Rewari whereby accused were released on probation.

Complainant alleged that accused persons armed with sticks trespassed into his house and gave beatings to him and his mother. They ransacked the house and broke a mirror and headlight of the Scooter. They threatened the petitioner and his mother that they would not be spared. Certain articles were also taken away by them. Complainant and his mother underwent medical examination and a report was obtained. A complaint was filed before the court of Additional Judicial Magistrate, Rewari. Complainant examined nine witnesses in support of his complaint. Defence also examined one witness i.e. DW1. Trial court came to the conclusion that accused were guilty of offences under sections 323, 427, 452/34 IPC and sentenced them accordingly, maximum sentence being two years. Accused filed an appeal before the

Additional Sessions Judge, Rewari. Appellate court while maintaining the conviction accepted modification in quantum of sentence. It decided to release the accused on probation on furnishing bail-bonds in the sum of ₹10,000/- each for a period of one year. They were directed to keep peace and maintain good behaviour during the said period. It also directed that ₹5,000/- each be paid to the injured as compensation and ₹10,000/- as costs of proceedings. I find no infirmity with the order passed by the trial court.

Incident took place way-back in the year 1993. Accused face protracted trial and proceedings thereafter before the appellate court. Challenge in this petition is only to the order whereby petitioners have been released on probation. However, I find no ground to interfere in revisional jurisdiction. A perusal of the order shows that there is no legal infirmity with the same. Dismissed.

December 02, 2015

Ajay

(RAJAN GUPTA)
JUDGE