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

CRR No.3539 of 2013

Date of decision: January 29, 2015

Bheera and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ramesh Sharma, Advocate
for the petitioners.

Ms. Dimple Jain, AAG Haryana.

SABINA, J

Petitioners had faced trial in FIR No.36 dated 02.05.2004, under Sections 323 and 506 read with Section 34 of Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Rajound.

Trial Court vide judgment dated 20.09.2010 ordered the conviction of the petitioners qua commission of offence punishable under Section 323, 506 read with Section 34 IPC. Vide order dated 21.09.2010, petitioners were ordered to be released on probation. Petitioners as well state preferred appeals against the judgment/order passed by the trial Court. Both the appeals were dismissed by the Appellate Court vide order dated 09.05.2012. Hence the present petition.

I have heard learned counsel for the petitioners and have gone through the record available on file carefully.

Prosecution story in brief is that on 19.05.2004 at

about 7/7.30 PM, complainant-Rani had gone to the house of Baldev to answer a phone call. When the complainant was returning home, she was abused by Parveen alias Naveen, Laxman and Raja. When the complainant objected to this, Parven alias Naveen gave a knife blow on the forehead of the complainant. Raja gave a brick blow on the eye of the complainant. In the meantime, Sheela, Nafe Singh, Parveen and Mange Ram came out of their house armed with sticks. Bheera gave a stick blow on the elbow of the complainant. Nafe Singh gave a stick blow on the left thigh of the complainant. In the meantime, other villagers reached the spot and all the assailants fled away from the spot.

During trial, complainant appeared in the witness box as PW1. Both the Courts below after appreciating the evidence on record, held that the statement of the complainant was duly corroborated by medical evidence. Learned counsel for the petitioners has failed to point out any misreading of evidence by the Courts below warranting interference by this Court. In these circumstances, the Courts below rightly held that the petitioners were guilty of commission of offences punishable under Sections 323, 506 read with Section 34 IPC. Petitioners have been ordered to be released on probation by the trial Court and the said order was upheld in appeal.

In the circumstances of the present case, no ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

January 29, 2015
m.singh