

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

(214)

CRR-3778-2013 (O&M)

Decided on: October 06, 2015.

Satpal

.... Petitioner

Versus

Dalbir and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ravi Malik, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Affidavit of petitioner filed in Court is taken on record.

For the reasons mentioned in the criminal miscellaneous application No. CRM-49463 of 2013, delay of 509 days in filing the revision is condoned.

Heard.

It is after the delay of 509 days, the complainant-petitioner has filed the present revision petition against the order of probation passed by the lower Appellate Court while upholding the conviction of the respondents under Sections 323/452/506 read with Section 149 IPC, recorded by the trial Magistrate.

The allegations against the respondents were that they had constituted an unlawful assembly armed with lathi and trespassed in the house of the petitioner and caused injuries to the complainant-petitioner and his mother. The motive attributed was that there is a previous case pending between the parties.

After going through the judgment of lower Appellate Court, I am of the opinion that respondents were found to be first offenders and they had not caused any grievous injury. Order of probation does not warrant any interference, especially when the order is challenged after a gap of 509 days.

No ground is made out to interfere in the order passed by the lower Appellate Court.

Petition is dismissed.

(M.M.S. BEDI)
JUDGE

October 06, 2015
harsha