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

**Date of decision: November 27, 2015
CRR No.1359 of 2015 (O&M)**

Harjinder Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CRR No.854 of 2015

Gurmej Singh @ Gurmail Singh

.....Petitioner

Versus

Harinder Singh @ Gandhi and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. S.P.S. Sidhu, Advocate
for the petitioners (in CRR No.1359 of 2015).

Mr. A.S. Khinda, Advocate
for the petitioner (in CRR No.854 of 2015).

Mr. Harinder Singh @ Gandhi, respondent No.2
(in CRR No.1359 of 2015 and respondent No.1
(in CRR No.854 of 2015) present in person
along with Mr. K.S. Brar, Advocate.

Mr. R.P.S. Sidhu, AAG Punjab.

SABINA, J

Vide this order, above-mentioned two petitions
would be disposed of as the petitioners had faced trial in a
complaint filed by respondent No.2-Harinder Singh @
Gandhi under Sections 326, 324, 323/34 of Indian Penal
Code, 1860 ('IPC' for short).

Trial Court vide judgment/order dated 06.06.2012 ordered the conviction and sentence of the petitioners under Sections 323, 324, 326/34 IPC. In an appeal filed by the petitioners, the Appellate Court ordered the acquittal of the petitioners under Section 326 IPC. So far as the conviction and sentence of the petitioners under Section 324, 323/34 IPC was concerned, the same were upheld. Hence, the present petition by the petitioners.

Learned counsel for the petitioners has submitted that during the pendency of the petitions, parties have amicably settled their dispute. Learned counsel have not challenged the conviction of the petitioners under Sections 323, 324, 34 IPC but have submitted that order qua sentence of the petitioners be set aside and they be ordered to be released on probation.

The submissions made by learned counsel for the petitioners have not been opposed by the learned counsel for respondent No.2-Harinder Singh @ Gandhi.

Respondent No.2-Harinder Singh @ Gandhi is present in person along with his counsel and has admitted the factum of compromise between the parties and has stated that he has no objection, if the petitioners are ordered to be released on probation.

Accordingly, keeping in view the submissions made by learned counsel for the parties, conviction of the

petitioners under Sections 323, 324, 34 IPC is maintained. However, sentence qua imprisonment of the petitioners, as imposed by the trial Court and further upheld by the Appellate Court, is set aside. Petitioners Harjinder Singh, Mukhtiar Singh and Gurmej Singh @ Gurmail Singh are ordered to be released on probation under Section 4 (i) of the Probation of Offenders Act, 1958 for a period of six months, subject to their furnishing personal bonds in the sum of ₹10,000/- with one surety in the like amount to the satisfaction of the trial Court. It is further directed that petitioners shall keep peace and bear good behaviour during the period of probation. Petitioners are directed to furnish the requisite bonds before the trial Court within one month from the receipt of the copy of this order, failing which these petitions shall be deemed to have been dismissed.

Petitions stand disposed of, accordingly.

**(SABINA)
JUDGE**

November 27, 2015
mahavir