

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 1798 of 2015(O&M)
Date of decision : 11.08.2015

Satbir and others Petitioners

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. KDS Hooda , Advocate for the petitioners.

Ms.Tanushree Gupta, DAG, Haryana.

- 1. Whether Reporters of local papers may be allowed to see the judgment?
- 2. To be referred to the Reporters or not?
- 3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a revision filed by the petitioners against the concurrent orders of conviction and sentence of the Courts below whereby they were sentenced to undergo imprisonment for the commission of offence under Sections 148, 448, 452, 323, 325 and 506 IPC as under:-

Under Section/s	Sentence	In default of payment of fine
148 IPC	R.I. for six months and a fine of Rs.200/- each	S.I. for two days
323/149 IPC	S.I.for six months and fine of Rs.200/- each.	S.I. for two days
325/149 IPC	R.I. for one year and fine of Rs. 300/- each	S.I .for three days
448/149 IPC	R.I. for six months and fine of Rs. 200/- each	S.I. for two days
452/149 IPC	R.I.for one year and fine of Rs.300/-each.	S.I. for three days
506 IPC	R.I. for one year and fine of Rs.300/-each.	S.I. for three days

All the sentences were ordered to run concurrently.

Learned counsel for the petitioners has argued that he would not press this petition on merits but prays that benefit of Section 4 of the Probation of Offenders Act be granted to them since the offences are such for which this benefit can be granted. He states that the petitioners are not previous convicts and have now undergone 4 months and 20 days of sentence out of a total sentence of one year. Learned DAG is not in a position to point out why the benefit of aforesaid Section of the Probation of Offenders Act should not be made available to the petitioners.

In the circumstances, keeping in view the nature of the offences and the fact that the petitioners are not previous convicts, it is directed that they all be released on probation of good conduct on their furnishing personal bonds in the sum of Rs. 20,000/- each with one surety each in the like amount to keep peace and be of good behaviour for a period of two years and to receive the sentence as and when called upon to do so during the said period of two years. The requisite bonds will be furnished before the trial Court within a period of one month from the date of receipt of a certified copy of this order failing which they shall undergo sentence imposed upon them by the trial Court.

With the modification in the quantum of sentence the aforesaid revision petition is dismissed.

Since the main case has been decided, the Criminal Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

August 11 , 2015
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