

1

CRR No.1883 of 2014
Decided on:-20.1.2015.

.....Petitioner

Buta Singh and others

....Respondent.

Present: Mr. R.S. Singla, Advocate
for the petitioner.

Kuldip Singh J.(Oral)

The complainant has filed this revision against the judgment and order dated 28.1.2013/30.1.2013 passed by learned Sub Divisional Judicial Magistrate, Tohana, District Fatehabad, vide which the accused/respondents-herein were sentenced to undergo Rigorous Imprisonment for six months and a fine of Rs.300/- each for the commission of offence punishable under under Section 323 read with Section 34 of Indian Penal Code, in default thereof further undergo Simple Imprisonment for 15 days. The accused-respondents further sentenced to undergo Rigorous Imprisonment for one year

and to pay a fine of Rs. 300/- each, in default thereof further undergo simple imprisonment for one month under Section 324 read with Section 34 of Indian Penal Code. However, in appeal the learned Additional Sessions Judge, Fatehabad vide judgment dated 28.1.2014, partly allowed the appeal. While maintaining the conviction of the accused under Sections 323 and 324 of Indian Penal Code, they were ordered to be released on probation of good conduct under Section 4 of the Probation of Offenders Act, 1958 on their entering into a probation bond in the sum of Rs. 20000/- with one surety in the like amount for a period of two years. They were also directed to pay the compensation to the tune of Rs. 10000/- each (total Rs. 30000/-) to the complainant/injured. The complainant is not satisfied with the order passed by the Court below and prayed for enhancement of the sentence after setting aside the order of releasing the accused-respondents on probation.

I am of the view that no interference in the order of learned Addl. Sessions Judge, Fatehabad, called for. Learned Addl. Sessions Judge, Fatehabad, has taken the view that the complainant has suffered one incised wound and two bruise. The appellant and

injured are co-villagers and are facing trial since the year 2008. The appellants are not involved in any other occurrence before or after the present occurrence. They have no criminal background, therefore, the accused/respondents were released on probation.

I find no ground to disagree with the reasoning forwarded by learned Addl. Sessions Judge, Fatehabad, consequently the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

January 20, 2015
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