

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

CRR No. 2912 of 2014

Date of decision : 17.03.2015

Nirmal Singh

....Petitioner

V/s

Harjinder Singh & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Aakash Singla, Advocate for the petitioner.

RAJAN GUPTA J.

Petitioner has preferred this instant revision petition against the order passed by Additional Sessions Judge, Sangrur whereby he extended the benefit of probation to the convicts and directed them to pay compensation of ₹50,000/- to injured-Nirmal Singh.

Learned counsel for the petitioner has assailed the order. According to him, in the facts and circumstances of case, concession of probation could not have been extended to the convicts. According to him, serious injuries were caused by the accused. Thus, order passed by appellate court deserves to be set-aside.

I have heard learned counsel for the petitioner.

It appears that on 11.06.2011 one person namely Nirmal Singh received certain injuries and was admitted in civil hospital, Dhuri. On receiving information, police reached the hospital and recorded his statement. He stated that on 11.06.2011 at about 8:30 a.m. he and his brother Chamkaur Singh were working in the fields. At that time, they were assaulted by the

accused. Various injuries were caused including a fracture. Investigation ensued. Police sent up four accused to face trial. Prosecution examined five witnesses including the concerned doctor. It was opined that injured had suffered three fractures one contusion on left arm and two incised wounds on his hand. Accused examined one witness Niranjana Singh in their defence. On consideration of entire evidence, trial court came to the conclusion that petitioners were guilty of the offences alleged and convicted them for offences under sections 447, 324, 325 read with section 34 IPC. Under section 325 IPC they were sentenced to undergo imprisonment of two years and pay a fine of ₹500/-. In default of payment of fine to undergo further imprisonment of one month. On appeal being filed before the Additional Sessions Judge, he came to the conclusion that monetary compensation could be granted to the injured in view of injuries suffered by him. He, thus, modified the sentence order and ordered the appellants to be released on probation for a period of two years on their furnishing probation bonds in the sum of ₹10,000/- each with one surety of like amount. They were also asked to give an undertaking to keep peace and maintain good behavior during this period. Compensation of ₹50,000/- was granted to injured Nirmal Singh. Learned counsel for the petitioner has not been able to point out any infirmity with the order passed. In my considered view, there is no ground to interfere in revisional jurisdiction. Revision petition is without any merit and is hereby dismissed.

March 17, 2015

Ajay

(RAJAN GUPTA)
JUDGE