

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

**CRR-4564-2015(O&M)
Date of decision : 17.12.2015**

Gulzar Singh and another

..... Petitioners

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sachin Sharma, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

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 petition has been filed against the judgment dated 11.02.2015 passed by the Judicial Magistrate Ist Class, Tarn Taran, whereby the petitioners have been convicted under Sections 148, 323, 149, 324. 326, 342, 452 IPC.

On 28.11.2015 the following contention was noticed:-

“Learned counsel has argued that the petitioners were ordered to be released on probation but they bonafide felt that they had been acquitted and consequently did not fulfil the condition of probation and have been arrested and are now ready to fulfil the condition of probation.”

Custody certificates filed in Court by way of affidavit of Ravinder Kumar Sharma, PPS, Superintendent, Central Jail, Amritsar are taken on record. As per the custody certificates, the petitioner No.1- Gulzar Singh has undergone actual sentence of 02 months and 17 days while the petitioner No.2-Daljit Kaur has undergone actual sentence of 01 months and 10 days out of the total sentence of two years.

Learned Additional Advocate General has very fairly and graciously accepted that if the petitioners are now ready to fulfil the conditions of probation they should not be denied the benefit thereof.

In the circumstances, the limited prayer made by learned counsel for the petitioner is allowed. Let the petitioner be released on interim bail to the satisfaction of CJM/Duty Magistrate, Tarn Taran for a period of one month and in case they now fulfil the conditions of probation they will be released as per the said order. However, if even on this occasion they do not fulfil the conditions of probation this petition would be deemed to have been dismissed.

Petition stands disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

17.12.2015

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**