

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

CRR No.949 of 2015.

Date of Decision: 17.12.2015.

MAHENDER

. . . Petitioner

Versus

HARI SINGH AND OTHERS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. L.M. Gulati, Advocate
for the petitioner.

M.M.S. Bedi, J. (Oral)

I have heard the counsel for the petitioner in the context of judgment passed by Additional Sessions Judge, Jind, which has disbelieved the medical evidence.

The offence under Section 325 IPC having not been made out, counsel for the petitioner faced with this situation, has contended that offences under Sections 323 and 506 IPC are made out and that it was not a case for probation.

I have heard the learned counsel for the petitioner and gone through the facts and circumstances of the case and have also gone through the judgment of the trial Court.

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In this case, respondents have faced trial registered in the year 2009. After facing the criminal proceedings for a period of about 6-7 years, order of probation has been passed holding the respondents guilty of offences under Sections 323, 506 IPC.

The order granting probation is not an order of acquittal. In case the respondents breach the condition of probation bonds during the period, the respondents can be called upon to face conviction.

No ground is made out to make any interference in the order.

Dismissed.

[M.M.S. BEDI]
JUDGE

17.12.2015
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