

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

CRM-M-33780-2012 (O&M)

Date of Decision: January 14, 2016

Ram Pal

.....Petitioner

Versus

Joginder Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

- 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?*

Present: Mr.J.P.Dhull, Advocate
for the petitioner.

Mr.H.S.Gill, Sr.Advocate with
Mr.Nitin Rampal, Advocate
for the respondents.

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NARESH KUMAR SANGHI, J.(ORAL)

The present petition, filed under Section 482, Cr.P.C., has been filed by petitioner/complainant -RamPal, challenging the judgment dated 14.06.2012 passed by learned Sessions Judge, Kaithal, whereby the revision petition filed by the petitioner for enhancement of sentence recorded by learned Sub Divisional Judicial Magistrate, Gulha, was dismissed.

Learned counsel contends that there were as many as three simple injuries on the left finger of the petitioner/complainant and despite that the learned trial Court after holding each private respondent-accused guilty for the offence punishable under Section 323, IPC, awarded the sentence till rising of the Court besides payment of fine of ₹1,000/- (Rupees one thousand only). The fine of ₹1,000/- (Rupees one thousand only) was paid by each private respondent. He further submits that while passing the order of sentence learned trial Court has failed to consider the gravity of the offence committed by the respondents-accused. He also contends that even while deciding the criminal revision petition filed by the petitioner, the Court of Session has also failed to keep in mind the serious offence committed by the private respondents.

On the other hand learned senior counsel representing the private respondents/accused submits that the sentence till rising of the Court by itself was uncalled for in view of the offence committed by the private respondents. He also contends that in fact learned trial Court should have released the private respondents after admonition or probation and, as such,

the sentence passed is already more than adequate which has also been affirmed by the Court of Session and, as such, no interference is called for by this Court.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

In a complaint case the private respondents were held guilty under Section 323, IPC, and each one of them was awarded the sentence till rising of the Court besides payment of fine of ₹1,000/- (Rupees one thousand only), which was paid by them. Trial Court as well as the revisional Court/ Court of Session have accorded cogent reasons for awarding the sentence. This Court also finds that the sentence awarded to the private respondents is adequate and, as such, no interference is called for by this Court while exercising the jurisdiction under Section 482, Cr.P.C..

Dismissed.

January 14, 2016
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(NARESH KUMAR SANGHI)
JUDGE