

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

**Crl. Revn No. 2843 of 2010
Date of decision : 22.09.2016**

Vinod

.....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. D.R. Punia, Advocate
for the petitioner.

Mr. D.R. Singla, DAG, Haryana

RITU BAHRI, J.

Challenge is to the judgment dated 30.09.2010 passed by the learned Addl. Sessions Judge, Hissar, whereby the appeal was partly allowed in the manner that the judgment of conviction dated 17.10.2006 passed by JMIC, Hissar under Section 354 IPC is maintained and his conviction under Section 452 IPC is altered to Section 451 IPC and the sentence awarded to the appellant for six months rigorous imprisonment under Section 354 IPC is reduced to the sentence for three months rigorous imprisonment and fine of Rs.500/- and under Section 451 IPC also to undergo rigorous imprisonment for three months

The occurrence took place on 08-09/09/2000 with the allegation that when the wife of the complainant and children were sleeping in the house, the petitioner scaled over the wall and entered his house and stood by the side of the cot towards bend side and tried to outrage the modesty of his

wife, by putting his hand below her belly. The accused raised alarm and thereafter, petitioner fled away from the spot.

Learned counsel for the petitioner does not challenge the conviction on merits and restrict his prayer to the quantum of sentence.

Vide order dated 15.11.2010, the sentence of the petitioner was suspended and at that time the applicant has undergone 03 months of sentence out of one year.

Learned counsel for the petitioner has further submitted that the Court may consider the release of the petitioner on probation of Good Conduct.

The petitioner has been facing the agony of protracted trial since 2000 i.e for almost 16 years. He is not facing any other trial.

In view of the above position, the petition is dismissed on merits. However, the judgment of conviction, recorded by the Courts below are upheld. The petitioner is allowed concession of probation for a period of six months on his entering into a bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the trial Court undertaking therein that he shall keep peace and maintain good behaviour and shall appear and receive sentence as and when called upon to do so during the said period.

(RITU BAHRI)
JUDGE

22.09.2016
G Arora

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No